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Dear Sir/Madam

Port of London Authority Response: Greater London Authority (GLA) Draft London Plan (December 2017)

Thank you for consulting the Port of London Authority ("PLA") on the Draft London Plan, which sets out an integrated economic, environmental, transport and social framework for the development of London over the next 20-25 years. For information, the PLA is the statutory port and harbour authority for the tidal River Thames between Teddington and the Thames Estuary. Its statutory functions include responsibility for conservancy, hydrographic surveying, dredging, navigation and controlling vessel movements. The PLA's consent is required for the carrying out of all works and dredging within its statutory limits. The PLA's functions also include promotion of the use of the river as an important strategic transport corridor for the movement of freight and passengers to, from and within London.

The PLA recognises that London is continuing to grow, and that there needs to be a focus on meeting growing demand in a sustainable way. The opportunities for significant new housing, commercial space, infrastructure and other development along the River Thames, will frame how the Thames and its banks will develop.

The PLA's Vision for the Tidal Thames (July 2016) (the "Thames Vision") is the framework for the development of the Tidal Thames between now and 2035. It was developed with a range of stakeholders including the GLA (<http://www.pla.co.uk/About-Us/The-Thames-Vision>). The Thames Vision sets six goals for the long-term future of the Tideway: more trade and more jobs associated with the River Thames; improved use of the River for the transportation of freight and passengers; greater participation in sport

and recreation; an improved environment and river heritage and; more people enjoying the Thames and its banks.

Any development at or near the River Thames and its riparian hinterland should have regard to these goals and their associated priority actions. Future developments should make the most of the river and the riverside, including allowing access to and along the riverfront and maximising the use of the Thames for the transportation of passengers and freight. In order to deliver sustainable growth, it is essential that London's Safeguarded Wharves, a vital part of London's transport network, continue to be protected and furthermore for their reactivation and use to be maximised through the London Plan. The PLA firmly believes that the now well established Safeguarded Wharf policy set out in the current London Plan must be maintained and, where necessary, strengthened (see in particular comments on policy SI15 below) for the river to reach its maximum potential. We do not understand the Mayor to be taking a different approach.

Additionally, given the important role that the River Thames has in the sustainable transport of passengers and freight, and the opportunities for growth as identified in the Thames Vision, it is considered that the Draft Plan currently omits important references throughout the document to maximising use of water transport. This should be strengthened. The potential to achieve this is highlighted within these representations.

Format of representation

The PLA's representation has been divided into sections. Section 1 provides comments on the policies that either directly or indirectly concern or may impact on Safeguarded Wharves. Section 2 provides comments on other policies which are relevant to the tidal River Thames.

Section 1 – Draft London Plan Safeguarded Wharves Policies

Policy SI14 Waterways – Strategic role

The PLA supports the inclusion of a policy within the Draft Plan that is concerned with the strategic role of London's waterways. As set out on page 2 of the Draft Plan, when developing the London Plan the Mayor is required to have regard to encouraging the use of the Thames, particularly for passenger and freight transportation. The current London Plan seeks to achieve this mayoral requirement in a number of ways including through the maximisation of the use of the river for the transport of freight (see for example policy 7.26 (d) development proposals *"close to navigable waterways should maximize water transport for bulk*

materials, particularly during demolition and construction phases"). Additionally, policy 15 of the Mayors draft Transport Strategy, seeks the use of the full potential of the River Thames for passengers and freight. The PLA shares this objective, and considers that policy SI14 should include express reference to this aim as a strategic policy. The PLA recommend the following amendment to part B of policy SI14:

Suggested amendment to Policy SI14, part B:

*"To reflect the distinctiveness of areas that specifically relate to the River Thames, relevant Development Plans should designate, and ensure the maintenance of, Thames Policy Areas. Boroughs are encouraged to **maximise the use of London's waterways, for passengers and freight through Development Plans, and when assessing development proposals, and should** work together on policies and to develop and update joint Thames Strategies that should support individual Development Plans."*

Within the reasoned justification for policy SI14, the PLA welcomes the references to the Thames Vision and the PLA's role in the establishment of the Thames and London Waterways Forum.

Policy SI15 Water Transport

Policy SI15 provides the policy for the movement of freight and wharves. Policy SI15 also consolidates a number of existing policies in the current London Plan including policies concerned with passenger transport, freight transport and waterway support infrastructure. The PLA considers that, as currently drafted, this policy is unintentionally internally inconsistent. The various strands of the policy potentially conflict with each other.

Definition of Safeguarded Wharves

Policy SI15 contains a number of references to 'Safeguarded Wharves'. Annex 3 (Glossary) of the draft Plan provides the relevant definition:

"A network of sites that have been safeguarded for cargo handling uses such as intraport or transshipment movements and freight-related purposes by Safeguarding Directions. Sites that are safeguarded are set out in the Safeguarded Wharves Review (2017/2018)"

The above definition refers to Safeguarded Wharves being those wharves to which a Ministerial Safeguarding Direction applies. This is the correct approach. The definition however also then unhelpfully

makes reference to a document (the Safeguarded Wharves Review) which has not yet been published for consultation and which in any event refers to the process by which wharves are reviewed. A wharf is safeguarded as a matter of both fact and law at all times that it is the subject of a Ministerial Direction. Further, the safeguarded status of a wharf remains fully effective unless and until a review removes it **and** the Safeguarding Direction is formally removed or amended by a Statutory Instrument. In these circumstances the definition of a Safeguarded Wharf should be limited to those wharves which are the subject of a Safeguarding Direction. There is no room for ambiguity in definitional terms. Reference within the definition to the Safeguarded Wharves Review in this context should be removed.

This position was made clear in relation to the Orchard Wharf Compulsory Purchase Order 2012 where the decision letter states at paragraph 12 *"once the [Safeguarded Wharf] designation has been confirmed by the relevant Secretary of State it remains safeguarded until it is decided to remove that designation."* It is further stated at paragraph 13 that *"Orchard Wharf remains safeguarded under the Direction until this is superseded by the Safeguarded Wharf Review and the Direction is lifted."*

The PLA therefore contend that the definition in Annex 3 is factually incorrect and must be amended, removing the reference to the Safeguarded Wharves Review. The supporting text in paragraph 9.15.5 could however contain a reference to the forthcoming Safeguarded Wharves Review, and subsequent reviews. The PLA would recommend the following amendment to the definition:

Suggested amendment to definition of "Safeguarded Wharves"

*"A network of sites that have been safeguarded for cargo handling uses such as intraport or transshipment movements and freight-related purposes by Safeguarding Directions. ~~Sites that are safeguarded are set out in the Safeguarded Wharves Review (2017/2018).~~ **A site remains safeguarded unless and until the relevant Safeguarding Direction is formally removed or amended.**"*

Review Period

Paragraph 9.15.5 advises that the Mayor will 'regularly review' wharf safeguarding. Linked to the point above, the PLA considers that paragraph 9.15.5 must clearly state that whilst a review is undertaken, the safeguarding policy remains fully effective and must be given full weight in decision making. Further, a wharf is safeguarded in its entirety and the safeguarding policy applies unless and until a review is finalised **and** the Safeguarding Direction is removed or amended by a Statutory Instrument. The PLA would recommend the following amendment to paragraph 9.15.5 of the Draft Plan to clarify this.

Suggested amendment to paragraph 9.15.5:

"the Mayor will regularly review wharf safeguarding to ensure the changing need for waterborne freight is addressed. Until the Safeguarding Direction in respect of a wharf is removed or amended, the Safeguarded Wharf policy and Safeguarding Directions remain in full force."

Text of policy SI15

The PLA considers an important part of the approach to the application of policy SI15 is actually contained in supporting paragraph 9.15.6 which states in relation to the redevelopment of a Safeguarded Wharf:

"The only exception to this would be for a strategic proposal of essential benefit for London, which cannot be planned for and delivered on any other site in Greater London."

This is clearly a policy test in form and substance. It should properly be within the policy section of the document as opposed to the text. This is particularly the case given the primacy of policy wording over any supporting text in relation to it. Consequently, the PLA considers that this should be incorporated as part of the policy wording at SI15 part E (see further below on part E), not least given the inclusion of the new SI15 part G, which refers to mixed use development proposals (see further below on part G).

Additionally, whilst policy SI15 seeks to increase the use of Safeguarded Wharves (part C), especially those that are currently not handling freight by water, there is no explicit reference to reactivation in the policy. This is surprising given the comments at paragraph 9.15.4 about the Mayor promoting positive action to achieve greater use of water transport, including the use of compulsory purchase powers where necessary, to bring inactive sites into use or to optimise the use of under-utilised sites. In view of the PLA's experience in reactivating wharves and more particularly that compulsory purchase has been required; the PLA would recommend the following inclusion in policy SI15 part F (the PLA comments more fully on SI15 part F below):

Suggested inclusion at SI15 part F:

"...will be supported. Support will be given to the use of compulsory purchase powers where necessary, to bring inactive sites into use or to optimise the use of under-utilised sites."

Part A

Whilst the PLA in principle support part A of policy SI15, the PLA are seeing increased interest in the use of the river for the movement of small packages and parcels on a 'just in time' basis. This is a move away from the more traditional cargo moved by water and potentially will become important over the lifetime of the Plan. In order to reflect this, proposed amendments are proposed to policy SI15 part A and to the related reasoned justification:

Suggested amendment to SI15 part A:

*"Development proposals should protect and enhance existing passenger transport piers and their capacity, **including for potential small scale freight use.** New piers will be supported in line with the Port of London Authority and Transport for London's Pier Strategy. The necessary provision of moorings, waste and sewage facilities for passenger vessels should be provided."*

Suggested amendment to reasoned justification at paragraph 9.15.2:

*"The PLA and Transport for London's Pier Strategy promotes extending river services to East London and its growth areas to encourage modal shift to the river. This will relieve road congestion and better integrate other forms of transport such as walking and cycling. **The potential for existing and proposed piers to play a part in the transportation of smaller scale logistics could also help maximise use of London's waterways for both passengers and freight.**"*

Part B

As currently drafted, part B of policy SI15 is supported by the PLA.

Part C

The PLA supports in principle part C of policy SI15 and welcomes its support of proposals for increasing the amount of freight transported by water. However, in the PLA's view, the policy does not go far enough. Development proposals should seek to **maximise** the amount of freight transported by water, rather than merely increasing the amount transported by water. The PLA would recommend the following amendment to the Draft Plan:

Suggested amendment to SI15 part C:

~~"Development proposals to facilitate an increase in the amount of freight transported by river should be supported"~~ **that seek to maximise the amount of freight transported by water will be supported"**.

Part D

This strand of the policy has no accompanying reasoned justification and given its emphasis and in particular the reference to wharf consolidation, an explanatory reasoned justification is essential. The PLA considers that the best and most appropriate way to address the issue of wharf consolidation, as part of strategic land use change, would be through the Safeguarded Wharf Review but it is recognised that it is also possible to address the issue through an Opportunity Area Planning Framework (OAPF), Local Plan or a planning application. The PLA has also noted above the primacy, as a matter of fact and law, of the Safeguarding Directions in relation to the safeguarded status or otherwise of a wharf. This should be emphasised in the policy.

Any consolidation of Safeguarded Wharves can only be undertaken by grouping them together without any loss of overall capacity or potential throughput. The policy therefore needs to be clear as to how vacant and under-utilised wharves should be dealt with and more particularly that they cannot be assigned with a capacity of zero tonnes. The Safeguarded Wharves Review and the theoretical capacity estimates that it is likely to contain must be used as the starting point for assigning a theoretical capacity to a vacant or under-utilised Safeguarded Wharf.

Within part D of the policy, it must be made clear whether the references to wharves are to Safeguarded Wharves or to all wharves (safeguarded and non safeguarded).

As stated above, the PLA considers that paragraph 9.15.5 of the reasoned justification must clearly state that whilst a review is undertaken, the safeguarding policy remains fully effective and must be given full weight in decision making. Further, a wharf is safeguarded in its entirety and the safeguarding policy applies unless and until a review is finalised **and** the Safeguarding Direction is removed or amended by a Statutory Instrument. The PLA therefore recommend the following amendments to part D and the reasoned justification:

Suggested amendments to SI15 part D:

"The Mayor will keep the network of Safeguarded Wharves under regular review. Until the Safeguarding Direction in respect of a wharf is removed or amended, the Safeguarded Wharf policy and relevant Safeguarding Direction remains in full force. Boroughs should protect existing locations and identify new locations for additional waterborne freight. There may be opportunities to consolidate wharves as part of strategic land use change, in particular, within Opportunity Areas; these will need to ensure that the existing and potential capacity and operability of the Safeguarded Wharves is retained and where possible expanded."

Suggested additional explanatory text to SI15 part D (to be inserted after 9.15.4):

"The consolidation of Safeguarded Wharves should be part of a plan-led process rather than on an ad-hoc basis. With any suggested consolidation of Safeguarded Wharves, when identifying the capacity of a Safeguarded Wharf, particularly if it is currently vacant, the Safeguarded Wharves Review should be used as the starting point for assigning a theoretical capacity."

Part E

The previously submitted Safeguarded Wharf Review (2013) is clear, at paragraph 5.1.7, that processing activities on a wharf are *"generally considered to be critical to the economic viability of both the wharf itself and also the river transport itself."* Paragraph 12.26 of the Orchard Wharf Inspector's Decision advises that the planning policy context does support the use of Safeguarded Wharves for concrete batching, and the decision was upheld on this point by the Court. Additionally, advice subsequently received by the PLA from the GLA in relation to this issue states: *"Storage, handling and processing facilities associated with the waterborne freight handling use such as marine aggregate washing, concrete batching and on site storage seem to the Mayor to be an essential part of the waterborne freight use and potentially capable of enhancing the viability of a wharf, making it more likely that the aim of policy i.e. increasing movement by river, can be achieved. Granting planning permission for a wharf but not allowing any on-site storage (while waiting for lorries to arrive for example) would appear to defeat the object of movement by river, the Mayor's aim. Likewise allowing a wharf but not allowing aggregate washing or concrete batching, processes associated with a wharf would be contrary to the aim of policy 7.26 and the NPPF."*

Given the above, the PLA considers that part E of policy SI15 should be amended to make it explicitly clear that storage, handling and processing activities and plant associated with a waterborne freight handling use

can take place on Safeguarded Wharves. A reasoned justification for this approach should then be provided at paragraph 9.15.4 (see below for suggested wording).

Part E of policy SI15 also makes reference to temporary uses. Please see also the PLA's comments below regarding policy H4 (Meanwhile Use) and the need to exclude Safeguarded Wharves as locations for such meanwhile uses.

The PLA considers that part E of the policy must act as the 'gate-keeper' for policy SI15, particularly parts F and G, and that part E should be amended to make it clear that the redevelopment of Safeguarded Wharves for other uses, including as part of a mixed development scheme, should only be accepted if the wharf or part of the wharf is no longer viable or capable of being made viable for waterborne freight handling having first used the viability testing criteria. This is to ensure that the principal aim of the policy to ensure that viable wharves should be protected is maintained prior to any other consideration. The PLA therefore recommend the following amendments to part E of the policy and the reasoned justification:

Suggested amendments to SI15 part E:

*"Safeguarded Wharves should only be used for waterborne freight handling use, including **associated storage, handling and processing facilities and associated plant and** consolidation centres. The redevelopment of Safeguarded Wharves for other land uses should only be accepted if the wharf is no longer viable or capable of being made viable for waterborne freight-handling (see viability testing criteria). **The only exception to this would be for a strategic proposal of essential benefit for London, which cannot be planned for and delivered on any other site in Greater London.** Temporary uses should only be allowed where they do not preclude the wharf being reused for waterborne freight-handling uses."*

Suggested additional explanatory text relating to SI15 part E (to be inserted after current paragraph 9.15.5):

"Safeguarded Wharves undertake on-site storage, handling and processing activities in association with the use of the wharf for waterborne freight handling. These activities are generally considered to be important to the function of both the Safeguarded Wharf itself and also the maximisation of the use of the river for transport. Development proposals that include these associated uses will be encouraged, particularly where their provision on site can reduce the need for unsustainable transport movements or multi-site handling processes."

Part F

Part F of the policy is currently unclear, particularly in the context of vacant Safeguarded Wharves. It must be made clear that where the policy states that development proposals will be supported which increase the use of Safeguarded Wharves for waterborne freight transport, that there is a need that such proposals maximise the use of a Safeguarded Wharf for waterborne freight transport. As set out in relation to part D of the policy, the Safeguarded Wharves Review and the theoretical capacity estimates it is likely to contain must be used as the starting point for assigning a theoretical capacity to a vacant or under utilised wharf. The PLA therefore recommend the following amendments to part F of the policy and the reasoned justification:

Suggested amendments to SI15 part F:

*"Development proposals which ~~increase~~ **maximise** the use of Safeguarded Wharves for waterborne freight transport, especially on **vacant wharves** and wharves which are currently not handling freight by water, will be supported. **Support will be given to the use of compulsory purchase powers where necessary, to bring inactive sites into use or to optimise the use of under-utilised sites.**"*

Suggested amendment to explanatory text at paragraph 9.15.5

*"Many of London's river freight wharves are located in areas of high demand and high value for other land uses. A network of wharves is protected from redevelopment by Safeguarding Directions. The Mayor will regularly review wharf safeguarding to ensure the changing need for waterborne freight is addressed. **Until a review is finalised and the Safeguarding Directions are removed or amended, the Safeguarding Directions and Safeguarded Wharf policy remain in full force. The capacities identified in the Safeguarded Wharves Review must be used as the starting point for establishing the capacity of a wharf, including vacant wharves.**"*

Part G

There currently appears to be internal inconsistency between parts E and G of the policy, where G references development proposals that include the provision of a waterborne freight handling use on a Safeguarded Wharf, with other uses above or alongside. If part G is to remain, it must be made clear that any development of 'other uses'; for example housing on a Safeguarded Wharf, only applies to a part of a Safeguarded Wharf that has, first, been conclusively shown not to be viable in accordance with part E and

the factors set out in paragraph 9.15.7. Only after that has been made out in respect of part of a Safeguarded Wharf, should mixed use development proposals then be considered on that part of a Safeguarded Wharf. In this respect, the centrality of the viability test has been supported through every previous iteration of the London Plan. It should not be lost or diluted, but made expressly clear within the policy in relation to the application of part G, to avoid any potential internal consistency in the drafting. Furthermore, any other development proposed following the application of this test should then be strictly subject to the design restrictions in part G of the policy. Such a sequential approach would ensure that the protection afforded to wharves in part E was not compromised and also that any alternative development on an unviable part of the wharf could not result in any conflicts of use or lead to any reduction in freight handling capacity on the viable part of the Safeguarded Wharf.

Also within part G, the PLA considers that reference to ensuring that the 'freight-handling capacity of the wharf is not reduced' requires more clarity. It must be linked with the Safeguarded Wharves Review in terms of the existing and potential capacity of a Safeguarded Wharf. It should also ensure that such development does not in any way constrain future flexibility of a Safeguarded Wharf and its ability to accommodate different operational requirements now and into the future. This is necessary both to avoid any reduction in freight handling capacity on a given site, and the risk of rendering the Safeguarded Wharf incapable of accommodating future operational requirements - particularly in the case of a vacant Safeguarded Wharf. The PLA therefore recommend the following amendments to part G and the reasoned justification:

Suggested amendments to SI15 part G:

*"Development proposals ~~that include the provision of a water freight use on a Safeguarded Wharf, with other land uses above or alongside, will need~~ **for other uses on part of a Safeguarded Wharf will need to ensure through the viability testing criteria that the area identified is unviable for waterborne freight handling use. The design of the development must then** ~~will ensure that there are no conflicts of use, and that the freight-handling capacity of the Safeguarded Wharf is not reduced, and that the development does not constrain future flexibility of the Safeguarded Wharf to accommodate different operational requirements now and into the future."~~ *is not reduced.**

Suggested amendments to explanatory text at paragraph 9.15.6:

*"The redevelopment of Safeguarded Wharves **(including any development proposals under part G of policy SI15)** should only be accepted if **the whole or part of a the** wharf is no longer viable or capable of being made viable for waterborne freight-handling uses. The only exception to this would be for a strategic*

*proposal of essential benefit for London, which cannot be planned for and delivered on any other site in Greater London. **Under part G where only part of the full extent of a Safeguarded Wharf has been shown not to be viable then alternative development proposals on this part of the wharf and/or additional land adjacent to the Safeguarded Wharf must be designed so that there are no conflicts of use with, or reduction of freight handling capacity on the remainder of the Safeguarded Wharf, nor any constraint on the future flexibility of the Safeguarded Wharf to accommodate different operational requirements now and into the future. The capacities identified in the Safeguarded Wharves Review must be used as the starting point for establishing the capacity of a wharf, including vacant wharves.***

Part H

A consistent approach is needed to designing developments in close proximity to a wharf (adjacent, opposite, above, alongside). As currently drafted, part G requires there to be no conflicts of use but part H requires conflicts of use and disturbance to be minimised. The PLA considers that part H should be amended to ensure there are no conflicts of use and disturbance. The PLA therefore recommend the following amendments to part H and the reasoned justification:

Suggested amendments to SI15 part H:

*“Development proposals adjacent to or opposite Safeguarded Wharves **(including vacant wharves)** should be designed to ~~minimise~~ **ensure there are no** conflicts of use and disturbance, in line with the Agent of Change principle. **Development Proposals near to a vacant or under utilised safeguarded site should include a noise assessment that assesses a reasonable worst case scenario for the use for the wharf and assumes the wharf is in full operation to its maximum potential.**”*

Suggested amendments to explanatory text at paragraph 9.15.9:

*Many wharves are in Opportunity Areas and/or are increasingly surrounded by different land uses that do not have an industrial or freight purpose. In line with the Agent of Change principle, new development next to or opposite wharves should utilise the site layout, building orientation, uses and materials to design out potential conflicts. **Development proposals near to a vacant or under utilised Safeguarded Wharf should include a noise assessment that assesses a reasonable worst case scenario for the use of the wharf and assumes the wharf is in full operation to its maximum potential. Design mitigations could include the provision of fixed shut windows and wintergardens on elevations facing Safeguarded Wharves.** Proposals*

for neighbouring development sites must ensure that appropriate highway access to wharves for commercial vehicles is maintained.

Part I

The PLA considers that part I of the policy has had a positive effect in practice and volumes of materials associated with riparian development have increased. However, much more can be achieved and an assessment of the use of the river should be included as part of a submitted transport statement or construction environment management plan. This will ensure that this aspect of development logistics is considered at the earliest possible opportunity. In the PLA's experience, this matter is currently not considered early enough in the development process and results in developments being designed in such a way that precludes river use, for example, through development phasing. Additionally contracts have often been let before river use conditions are submitted for discharge which again prohibits use of the river. Earlier consideration of river use would result in increased opportunities to maximise use of the river during demolition and construction phases. The PLA therefore recommend the following amendment to the reasoned justification:

Suggested additional explanatory text after current paragraph 9.15.9:

"The maximisation of the use of London's waterways for the transportation of bulk materials during demolition and construction phases should be considered at an early stage in the development and included as a consideration within relevant documents, including transport statements and Construction Environment Management Plans. TfL's Water freight toolkit should be used to assess the viability of using waterways during demolition and construction phases."

Policy D12 Agent of Change

The PLA supports the principles underpinning the Agent of Change policy and in particular for placing the responsibility to mitigate impacts from existing noise-generating activities or uses onto the proposed development.

However, policy D12 needs to be specific as to the correct approach to be taken when new noise sensitive development is proposed near to a vacant or under-utilised Safeguarded Wharf or any existing potentially future noise generating development. In these circumstances, to ensure that unreasonable restrictions are

not placed on a wharf (for example operating hours, noise levels etc.) it will be necessary for planning applications near to Safeguarded Wharves to have full regard of the Safeguarded Wharf designation and policy SI15 notwithstanding that the wharves may be vacant when the application is made. Planning applications must also assess a reasonable worst case scenario in relation to the use of the wharf into the future. This is already established practice in development control for example; the Leamouth South Development in Tower Hamlets assessed the reactivation of the currently vacant Orchard Wharf and the Enderby Wharf development in the Royal Borough of Greenwich assessed the reactivation of the currently vacant Tunnel Glucose. This established practice in development control needs to be reflected in policy D12 with guidance being provided on possible design solutions in the supporting text (for example fixed shut windows and wintergardens).

The PLA supports part C(3) of policy D12 and part A(5) of policy D13 regarding the utilisation of design layout of new developments as a mechanism for mitigating against the potential adverse impacts of noise generating activities in proximity to new noise sensitive developments. In the PLA's experience with the exception of phases 3, 4 and 5 of Greenwich Millennium Village, planning applications for developments proposed adjacent to Safeguarded Wharves rarely show how design has been utilised to mitigate against potential adverse impacts. Reliance is instead placed solely on sound insulation. Part C(3) of policy D12 and part A(5) of policy D13 must therefore be considered at the outset of new development proposals and be given full weight in decision making.

The PLA recommend the following amendments to part B of policy D12 and to the reasoned justification:

Suggested amendments D12 part B:

*"Boroughs should ensure that planning decisions reflect the Agent of Change principle and take account of existing noise-generating uses **and land use designations, including Safeguarded Wharves**, in a sensitive manner when new development, particularly residential, is proposed nearby. **Where new noise sensitive development is proposed near to a vacant or under-utilised Safeguarded Wharf site, the Agent of Change principle should be taken into account by neighbouring development proposals, to ensure the safeguarded site is not prevented from being fully utilised for its intended use.**"*

Suggested amendment to explanatory text at paragraph 3.12.5:

*"Housing and other noise-sensitive development proposed near to an existing noise-generating use should include necessary acoustic design measures, **including the provision of wintergardens and/or fixed shut windows**. This will ensure new development has effective sound insulation to mitigate and minimise*

potential noise impact or neighbour amenity issues. Mitigation measures should be explored at an early stage in the design process, with necessary and appropriate provisions secured through planning obligations."

Suggested additional explanatory text after paragraph 3.12.7:

"Where a site is safeguarded for an industrial use, including Safeguarded Wharves and waste sites, the Agent of Change principle applies to adjacent development proposals even if the site is currently vacant or under-utilised. Development proposals near to a vacant or under-utilised safeguarded site should include a noise assessment that assesses a reasonable worst case scenario for the use of the safeguarded site and assumes the safeguarded site is in full operation to its maximum potential."

Policy GG5 Growing a good economy

The PLA considers that more should be made within this policy of the role London's industrial businesses have in helping to strengthen London's Economy. The PLA considers there should be a specific reference to protecting industrial land within London, including waste and aggregate sites, and Safeguarded Wharves in this policy. The PLA recommend the following amendments to the Draft Plan.

Suggested amendments to GG5 part C:

*"Plan for sufficient **high quality** employment and industrial space in the right locations to support economic development and regeneration, and continue to safeguard vital industrial infrastructure including wharves, waste and aggregate sites."*

Policy H4 Meanwhile Uses

Paragraph 4.4.1 of the Draft London Plan recognises that some vacant land is suitable for meanwhile use as housing and policy H4 encourages Boroughs to identify opportunities for the meanwhile use of sites while it is awaiting longer-term development.

Policy SI15 clearly supports the reactivation and use of Safeguarded Wharves for waterborne freight transport including through the use of compulsory purchase powers where necessary, to bring inactivate sites into use. It is also clear at SI15 (E) that temporary uses should only be allowed on a Safeguarded

Wharf where they do not preclude the wharf being reused for waterborne freight handling uses. The PLA therefore considers that in order to ensure that Safeguarded Wharves can be reactivated in a timely manner; they should be specifically excluded from the land that Boroughs can consider for meanwhile use. The PLA therefore recommend the following additional reasoned justification:

Suggested additional explanatory text after paragraph 4.4.1:

“Sites safeguarded for industrial uses including Safeguarded Wharves are not considered appropriate for meanwhile uses due to the potential impact on their reactivation for industrial uses and waterborne cargo handling uses.”

Policy SD1 Opportunity Areas

It is noted that as in previous versions of the London Plan, there are a number of Opportunity Areas (OA's) that border the River Thames and its tributaries. Whilst the PLA has no in principle objection to areas being designated as OA's or indeed to the increased growth that is planned for in these areas, it must be ensured that any OA Planning Framework and all subsequent planning applications give full and appropriate consideration of any Safeguarded Wharves situated within the OA. This includes the wharves capacity and operability (including theoretical capacity when a wharf is vacant or under utilised) and all relevant juxtaposition issues (for example noise, air quality, lighting and highways access issues) must be identified assessed and appropriately mitigated. There are now a number of examples where this has been successfully achieved for example Battersea Power Station which is adjacent to Cringle Dock and Kirtling Wharf in the Vauxhall Battersea Nine Elms OA and Phases 3, 4 and 5 of Greenwich Millennium Village in the Greenwich Peninsula OA.

A consistent approach needs to be taken in the Draft London Plan where a wharf or wharves are located within an OA. For example, the Royal Docks OA text (pages 45-46) makes specific reference at paragraph 2.1.48 to the OAs Safeguarded Wharves, the need to retain wharf capacity and the potential opportunities for wharf consolidation. This is in direct contrast to the Bexley Riverside OA text (page 47) which contains no references to the Safeguarded Wharves. All OAs in the Draft London Plan that contain a Safeguarded Wharf must clearly document their existence, the need to retain wharf capacity and the need to appropriately address all relevant juxtaposition issues.

The PLA must be involved in the production of any Opportunity Area Planning Frameworks (OAPFs) that have the potential to impact on the river to ensure that the PLA's vision and goals for the future use of the

Thames which are shared by the GLA are taken into account, particularly with regard to the protection and maximisation of use of Safeguarded Wharves.

The PLA and wharf operators must be involved at the early stage of any development proposals which are located in close proximity to a Safeguarded Wharf. Where the PLA and wharf operators have been involved early in the process, it has led to significant quicker determination of subsequent planning applications.

Policy SD2 Collaboration in the Wider South East

The PLA supports the introduction of this policy, highlighting the collaboration required with partners across the wider South East to address regional and sub regional challenges and opportunities. The PLA would confirm that the Port of London acts as an international gateway into Kent and Essex and it must therefore also be included in any discussions regarding finding solutions to shared strategic concerns, particularly regarding freight, logistics and port facilities as mentioned in part E of the policy.

The PLA considers that it should be made clear that substitution outside of London does not apply to Safeguarded Wharves (see comments below on policy E7 and suggested amended text).

Policy E7 Intensification, co-location and substitution of land for industry, logistics and services to support London's economic function

Whilst intensification is supported by the PLA, this should not always be related to areas being intensified to allow for the release of industrial land. The intensification of industrial land should be strongly supported and encouraged even in areas that do not result in the loss of industrial land for other uses (such as housing).

Part E1 of the policy must be made stronger by removing the words "*or at least no overall net loss*". If this wording was to remain in the policy, it is highly likely that most developments relating to the intensification and release of industrial land will always be done to no overall net loss, rather than an increase of overall capacity which must be the policies principle aim.

The PLA broadly agrees with part E4 of the policy which details appropriate design mitigation regarding any residential elements of a proposed development.

Whilst the PLA has no in principle objection to the substitution of London's industrial capacity to locations in the wider region in appropriate circumstances, this would not be appropriate for London's Safeguarded

Wharves. A network of wharves is needed throughout London to enable the use of the river for the transportation of waterborne freight and recognised within policy SI15. The 2013 Wharves Review was undertaken on the basis of three sub regions: West, North East and South East and paragraph 9.1.5.7 of the Draft London Plan sets out the now well established factors to consider when assessing the viability of a Safeguarded Wharf. This includes *“its geographical location, in terms of proximity and connections to existing and potential market areas.”* It should therefore be made clear that substitution outside of London does not apply to Safeguarded Wharves.

The PLA therefore recommend the following amendments to policy E7 and the reasoned justification:

Suggested amendments to E7 Part E1:

“the industrial uses within the SIL or LSIS are intensified to deliver an increase ~~(or at least no overall net loss)~~ of capacity in terms of industrial, storage and warehousing floorspace with appropriate provision of yard space for servicing.”

Suggested amendment to explanatory text at paragraph 6.7.5:

*“There is a significant amount of industrial and logistics capacity serving London that is located outside of the capital. There may be scope for some substitution of London’s industrial capacity to locations in the wider region where this results in mutual advantage, such as complementary business opportunities and transport infrastructure improvements. This will require close collaboration between planning authorities inside and outside London and must ensure that any substitution does not give rise to cumulative negative impacts including, for example, on business supply chains, labour markets, pollution and congestion. **Safeguarded Wharves are not considered appropriate for substitution outside of the capital, due to the established locational factors that define why these sites are safeguarded in London.**”*

Section 2: Other Draft London Plan policy comments:

Policy GG3 Creating a Healthy City

The PLA considers the marine environment and London’s Waterways should be included in the description under part E of this Policy as ‘blue’ space, which refers to planning for improved access to green spaces and the provision of new green infrastructure. The PLA recommend the following amendment to part E of the policy:

Suggested amendment to GG3 part E:

*"Plan for improved access to green **and blue** spaces and the provision of new green infrastructure."*

Policy D8 Tall Buildings

The PLA broadly supports this policy; particularly parts C (1) and F concerning buildings near to the River Thames and possible canyon effects and 2(g) concerning impacts on navigation.

Policy D13 Noise

Policy D13 A (3) states that residential and other non-aviation development proposals should manage noise by "*mitigating and minimising the existing and potential adverse impacts of noise... without placing unreasonable restrictions on development.*" The PLA considers that it must be made clear in the policy wording that if this part of the policy cannot be adhered to then the proposed development should not be permitted.

The policy should also be made stronger by encouraging greater collaboration between boroughs and other stakeholders, particularly with businesses with regards to noise impacts, and emphasising the importance of the Agent of Change principle with regards to existing noise-generating uses and land use designations, including their potential for future expansion. As a result, the PLA recommend the following amendments to the Draft Plan:

Suggested amendments to D13 part A (2):

*"Reflecting **According with** the Agent of Change principle in particular to ensure measures do not add unduly to the costs and administrative burdens on existing noise generating uses. **New development must take account of existing noise-generating uses and land use designations, including Safeguarded Wharves and SIL and their potential for expansion and intensification**"*

Suggested amendments to D13 part A (3):

*"Mitigating and minimising the existing and potential adverse impacts of noise **at an early stage** on, from, within, as a result of, or in the vicinity of new development without placing unreasonable restrictions on*

development. *If appropriate measures cannot be implemented development proposals should be refused.*

Suggested amendments to reasoned justification at paragraph 3.13.1:

*"The management of noise is about encouraging the right acoustic environment in the right place at the right time. This is important to promote good health and a good quality of life within the wider context of achieving sustainable development. The management of noise should be an integral part of development proposals and considered as early in the planning process as possible. Managing noise includes improving and enhancing the acoustic environment and promoting appropriate soundscapes. This can mean allowing some places or certain times to become noisier within reason, whilst others become quieter. Consideration of existing noise sensitivity within an area is important to minimise potential conflicts of uses or activities, for example in relation to internationally important nature conservation sites which contain noise-sensitive species. **Boroughs, developers, businesses and other stakeholders should work collaboratively to identify the existing noise climate and other noise issues to ensure effective management and mitigation measures are achieved in new development proposals.**"*

Suggested amendments to reasoned justification at paragraph 3.13.2:

*"The Agent of Change Principle places the responsibility for mitigating impacts from existing noise-generating activities or uses on the new development. Through the application of this principle existing land uses should not be unduly impacted by the introduction of new noise-sensitive uses. **For certain sites, such as Safeguarded Wharves and SIL sites regard must be given to not prejudicing the potential future intensification or expansion of activities at these locations.**"*

Policy S5 Sports and recreation facilities

In principle the PLA supports policy S5 and the reference to maintaining and promoting the Walk London Network which includes the Thames Path. The PLA considers that the policy should be strengthened by promoting the extension of the Walk London Network where appropriate. The PLA's Thames Vision includes a specific goal to join up the Thames Path from source to sea, including to 'close the gaps' in the existing Thames Path to achieve a continuous path along the Thames. This should be referred to as part of policy S5 with the caveat that Safeguarded Wharves are an important consideration to be taken into account, and pragmatic solutions are required that achieve appropriate, safe public access, taking into account safety, regulatory and operational requirements of the Safeguarded Wharf operator.

The PLA also considers that part A(2) of policy S5 should be expanded to include reference to water-dependent uses at riparian sites, to further highlight the different types of sports and recreation facilities that are required to ensure there is a sufficient supply of good quality sports and recreation facilities. This is in line with the Thames Vision which includes a goal to increase participation on and alongside the Thames.

The PLA recommend the following amendments to policy S5 A(2) and A(3) of the Draft Plan and the associated reasoned justification:

Suggested amendment to S5 part A (2):

*"secure sites for a range of sports and recreation facilities, **including water-dependent uses at appropriate riparian sites.**"*

Suggested amendment to S5 part A (3):

A (3): *"maintain, ~~and~~ promote **and where appropriate extend** the Walk London Network shown on Figure 5.1 and encourage networks for walking, cycling and other activities."*

Suggested amendment to reasoned justification at paragraph 5.5.8:

*"Places that are designed for people to be active and to move around freely will also encourage more physical activity in people's daily lives. Existing networks, such as the Walk London Network, also help to encourage this further **and should be extended where feasible**"*

Policy E4 Land for industry, logistics and services to support London's economic function

Whilst the PLA broadly supports the principle of the policy to achieve no net loss of industrial floorspace capacity across London (including operational yard capacity) the policy as currently drafted is confusing due to there being three boroughs (Barking and Dagenham, Havering and Newham) that are in a 'Limited Release' category to release Strategic Industrial Land (SIL) and/or Locally Specific Industrial Sites (LSIS). Given the context provided in paragraph 6.4.4 that more than 1,300 hectares of industrial land was released between 2001 and 2015, well in excess of previously established London Plan monitoring benchmarks, this policy should be strengthened to ensure that this level of release is not continued.

Specifically within the policy the PLA supports part D which states that the retention and provision of additional industrial capacity should be prioritised in locations that have potential for the transport of goods by rail and/or water transport.

Amendments are required to part E to ensure that any release of land does not result in sensitive uses being located in close proximity to retained industrial land. The PLA recommend the following amendments to policy E4 parts A, D and E:

Suggested amendment to E4 part A

*"A sufficient supply of land and premises in different parts of London to meet current and future demands for industrial and related functions should be maintained **and enhanced**. This should make provision for:"*

Suggested amendment to E4 part D

"Boroughs should encourage the provision of additional industrial capacity through Development Plans. The retention and provision of additional industrial capacity should be prioritised in locations that:"

Suggested amendment to E4 part E

*"Any release of industrial capacity in line with part C should be focused in locations that are (or are planned to be) well-connected by public transport, walking and cycling and contribute to other planning priorities including housing (and particularly affordable housing), schools and other infrastructure. **Boroughs should ensure that any release does not result in the proliferation of sensitive uses around retained industrial land or access routes, and must not compromise the integrity or effectiveness of retain industrial land in accommodating industrial-type activities, in line with Policy E5 (Strategic Industrial Locations SIL)**"*

Policy E5 Strategic Industrial Locations (SIL)

The PLA broadly supports this policy, particularly part E, which references the Agent of Change principle. Please note the PLA's comments regarding the Agents of Change principle in response to draft policies S15 and D12 in section one above.

The PLA considers that there should be a specific reference to ensuring that access routes to industrial locations are considered to ensure that appropriate access is retained and the integrity and effectiveness of

the designated area is not compromised. The PLA recommend the following amendment to policy E5, part E:

Suggested amendment to E5 part E

“Development proposals within or adjacent to SILs should not compromise the integrity or effectiveness of these locations in accommodating industrial-type activities and their ability to operate on a 24-hour basis. In line with Agent of Change principles (Policy D12 Agent of Change) residential development adjacent to SILs or along access routes to them should be designed to ensure that the industrial activities are not compromised or curtailed. Particular attention should be given to layouts, access, orientation, servicing, public realm, air quality, soundproofing and other design mitigation in the residential development.”

Policy HC3 Strategic and Local Views

The PLA supports the principle of policy HC3, which contains the unchanged River Prospects views as identified in the Adopted London Plan.

Policy HC5 Supporting London’s culture and creative industries

Please see the PLA’s comments regarding Meanwhile Uses under policy H4 in section one above.

Policy G5 Urban greening

The PLA notes the reference that Boroughs should develop an Urban Greening Factor (UGF) to identify the appropriate amount of urban greening required in new development. It should be confirmed if the UGF is also applicable to riverside applications as well as riparian development and if so, it must be ensured that this policy references the Thames policy areas and the importance of the UGF in this regard.

Policy G6 Biodiversity and access to nature

The PLA broadly support policy G6 and considers access to nature can be greatly improved by increasing access to the Thames Path. In addition, information sharing along public areas next to the river will enhance a person’s experience walking along the riverside. The PLA therefore recommend the following amendments to the reasoned justification of policy G6 of the Draft Plan:

Suggested amendments to reasoned justification at paragraph 8.6.2:

"Although heavily urbanised, London consists of a wide variety of important wildlife habitats, including a number of sites that have national and international protection. These habitats range from semi natural features such as chalk grasslands, waterways and ancient woodlands to more urban habitats such as reservoirs and vegetated railway corridors. The wildlife value of these sites must be protected and appropriate maintenance regimes should be established to maintain or enhance the wildlife value of sites. Improved access to wildlife sites should be secured, where appropriate, so that Londoners can better experience and appreciate the natural environment within the city. The connections between protected sites – green and blue corridors – are often critical in helping to sustain wildlife populations that would be vulnerable if they were confined to isolated areas of habitat."

Policy SI1 Improving Air Quality

The PLA is supportive of policy SI1 and is committed to playing its part in improving air quality. In December 2017 the PLA published its "Draft Air Quality Strategy for the Tidal Thames" for consultation. This sets out 19 proposals for action centred on the '5 E' framework used in the European Seaports Organisation (ESPO) Green Guide, which are Exemplify, Enable, Encourage, Engage and Enforce.

It is noted that paragraph 9.1.11 of the Draft Plan refers to further guidance being published on Air Quality Neutral and Air Quality Positive standards as well as guidance on how to reduce construction and demolition impacts. This guidance should include reference to maximising the use of the River Thames for the transportation of construction materials and waste.

Policy SI2 Minimising greenhouse gas emissions

The PLA considers that policy SI2 and the reference to energy strategies should be strengthened by stating that Development Proposals should include an energy strategy where appropriate, rather than just encouraging this requirement.

The PLA considers that a number of renewable energy solutions referred to in policy SI2 have the potential to be included in, on or alongside the river in the future. The Thames Vision includes a goal to encourage uptake of new and green technologies to reduce the ports environmental impact, which could include technologies such as river source heating and cooling (using the heat mass of the river water via exchange mechanisms for heating or cooling) and tidal energy (using tidal flows to generate energy). However any

such technology must address any hydrology, navigation and environment impacts, to ensure such development is appropriate.

The PLA considers that any further planning guidance on preparing energy strategies should highlight these potential impacts, and avoid forcing technology into the River Thames that could have an impact on the port and the river environment. The PLA recommend the following amendments to the Draft Plan:

Suggested amendments to reasoned justification at paragraph 9.2.10:

*"The Mayor may publish further planning guidance on sustainable design and construction and will continue to regularly update the guidance on preparing energy strategies for major development. ~~Boroughs are encouraged to request~~ **Development proposals should include an energy strategy** for ~~other development proposals~~ where appropriate. As a minimum, energy strategies should contain the following information..."*

Policy SI3 Energy infrastructure and policy SI4 Managing heat risk

The PLA has no in principle objection to policies SI3 and SI4, and notes the references to heating networks. However, if such networks involve discharges to the River Thames they could result in an increase in heat discharged into the Thames. Any such network must ensure that any effects of a thermal plume (body of water significantly different in temperature to the Thames) must be limited as much as possible. It will not be acceptable to heat a significant cross section of the Thames as this creates a barrier to fish migration and could sterilise an area, and a number of consents from the PLA and the Environment Agency would be required.

The PLA recommend the following amendments to paragraph 9.3.7.

Suggested amendments to reasoned justification at paragraph 9.3.7

*"Increasing the amount of new renewable energy sources in London developments is supported. This includes the use of energy from waste schemes that are connected to a heat network, as well as solar photovoltaics and solar thermal, both on buildings and at a larger scale on appropriate sites. There is also potential for wind and hydropower-based renewable energy in some locations within London **which will require close collaboration with relevant stakeholders, such as the Environment Agency and Port of London Authority.**"*

Policy SI5 Water Infrastructure

The requirement for Development Plans to promote the protection and improvement of the water environment is supported by the PLA. The Thames Vision includes a specific goal to improve water quality including reduced litter in the river, and states that this can be achieved by parties working on improvements and best practice through the Tidal Thames Catchment Plan and the wider Thames River Basin Management Plan.

Policy SI7 Reducing waste and supporting the circular economy

The PLA is generally supportive of the aim of policy SI7 to reduce waste and create a circular economy. Every year 300 tonnes of 'driftwood' is removed from the River Thames, much of which is made up of litter including single use plastics. The PLA welcomes the GLA's support of the Thames Litter Forum and the PLA will shortly be publishing a Litter Strategy which sets out the context for future action on litter in the Thames environment and outlines the types of actions that the Thames Litter Forum will work towards over the next five years.

Within the reasoned justification for policy SI7 (at paragraph 9.7.4) there is a reference to the effective uses of Safeguarded Wharves. The PLA considers that this should be promoted in the policy wording rather than just in the supporting text to highlight its importance and recommend the following amendment to the Draft Plan:

Suggested amendments to SI7 part B:

"Referable applications should promote circular economy outcomes and aim to be net zero-waste. A Circular Economy Statement should be submitted, to demonstrate:

- 1) how all materials arising from demolition and remediation works will be re-used and/or recycled*
- 2) how the proposal's design and construction will enable building materials, components and products to be disassembled and re-used at the end of their useful life*
- 3) opportunities for managing as much waste as possible on site*
- 4) adequate and easily accessible storage space to support recycling and re-use*
- 5) how much waste the proposal is expected to generate, ~~and~~ how and where the waste will be handled, **and the methods of transportation for that waste, considering the use of sustainable forms of transport including via Safeguarded Wharves.**"*

Policy SI8 Waste capacity and net waste self-sufficiency

The PLA welcomes the recognition given to the role of Safeguarded Wharves in waste and secondary material management, requiring Boroughs to identify wharves with existing and future potential in development plans. Policy SI8 also makes reference to the use of waterway networks to transport waste in part D (5) which is welcomed.

Policy SI10 Aggregates

The PLA broadly supports this policy, particularly the emphasis on importing aggregates by sustainable transport modes; and the safeguarding of wharves with existing or potential capacity for aggregate distribution and/or processing to minimise the movement of aggregates by road. Part D (2) is in general conformity with paragraph 143 of the National Planning Policy Framework (NPPF) regarding the safeguarding of existing, planned and potential wharfage and associated storage, handling and processing facilities for the bulk transport by, sea or inland waterways of minerals, including recycled, secondary and marine-dredged materials.

Policy SI16 Waterways – use and enjoyment

Parts A and E

The PLA considers that parts A and E of policy SI16 should be combined to address an overall point that all waterways infrastructure, including mooring facilities should be considered as part of Development Plans and development proposals adjacent to waterways. The policy should also be amended to refer not only to protecting and enhancing existing facilities, but to securing the provision of new waterway infrastructure as part of Development Plans or development proposals. The PLA would recommend that part E of policy SI16 is removed entirely and the following proposed amendments are made to part A:

Suggested amendment to SI16 part A:

"Development Plans should protect and enhance waterway infrastructure to enable water-dependent uses, and major development schemes adjacent to waterways should protect and enhance existing and provide new river related infrastructure, including moorings, sports and recreation facilities, access to the Thames Path and provision of new passenger services."

Suggested amendments to SI16 part E:

"Major development schemes adjacent to waterways should consider the provision of new moorings."

Part B

The PLA supports the provision of additional water sports facilities but does not consider that these should be restricted to areas which have a deficit in provision. The Thames Vision includes the goal to see greater participation in sport and recreation on and alongside the water and identifies current and extended sport opportunity zones reflecting the potential for growth of water sports along the River Thames. The PLA therefore contends that the emphasis in policy SI16 should be on meeting identified local need.

The PLA also considers that specific criteria should be included within policy SI16 to ensure development proposals do not negatively impact on river regime and biodiversity as well as navigation. The PLA would recommend the following amendment to policy SI16:

Suggested amendment to SI16 part B:

"Development proposals that increase the provision of water sport centres and associated new infrastructure will be supported **where there is an identified local need** if a deficit in provision has been identified locally and if the infrastructure does not negatively impact on navigation, river regime **and biodiversity.**"

Part D

With regards to mooring facilities, the PLA broadly supports the policy wording as currently drafted at part D. The PLA's Thames Vision includes specific goals regarding the provision of new visitor and residential moorings and the associated vision map includes a number of 'Residential Mooring Opportunity Zones'. However, in the PLA's experience the issue of wash needs to be carefully managed and appropriately addressed if new mooring facilities are going to be able to be realised on the River Thames without detrimentally impacting of existing activities. At Plantation Wharf an innovative wash barrier has been installed and there is a role for developers to find other solutions to the issue of wash that allow residential vessels to be moored on the water. The PLA considers that there is a need to make specific reference to wash issues within the policy, and the need to maintain the main passenger vessel services in the

supporting text. The PLA therefore recommend the following amendments to the SI16 part D and to the related reasoned justification:

Suggested amendment to SI16 part D:

"New mooring facilities should be:

1) supported as part of development proposals, but should be off-line from main navigation routes, in basins or docks, unless there are no negative impacts on navigation

2) managed in a way that respects the character of the waterways.

3) appropriately designed including the provision of wash mitigation where necessary"

Suggested amendments to reasoned justification at paragraph 9.16.2

"There has been a significant increase in the number of boats on London's waterways (from 2,000 in 2010 to 5,000 in 2016), with a notable increase in central and eastern parts of London's canal network. There is a deficit of residential, leisure, visitor and commercial moorings to meet the increase in demand. The Canal and River Trust is producing a London Mooring Strategy which will provide an overview of the number of people living on boats on the canal network. It will identify zones for potential additional moorings. Some community-based projects to create residential

moorings may be considered as community-led housing (part A.4 of Policy H2 Small sites). In addition, a number of creative businesses such as artists' studios and post-production facilities are located on boats.

Development proposals for residential moorings should consider innovative solutions to address site-specific conditions including wash to enable the creation of new appropriate moorings without detrimentally impacting on the main passenger vessel services"

Part F

The PLA supports the protection and enhancement of access points alongside waterways (including paths) but has concerns regarding the requirement to protect and enhance existing access points to waterways (including slipways and historic steps). In many cases, it is not clear who owns these access points to the foreshore. There is strictly no right of public access to the foreshore except for navigation (getting in and out of boats) and for fishing and digging of bait. The PLA acknowledges that people access the foreshore, which requires a permit from the PLA, but this is tolerated more than encouraged. In general the PLA is concerned about additional access to the foreshore for the following reasons:

1. Public safety – the foreshore is dangerous due to tides, soft mud, slip hazards, sharp objects, Weil's disease etc. The public are largely unaware of the tidal nature of the River Thames and the significant dangers that this poses. Every year, the Police, Fire Brigade, RNLI (via the Coastguard) and the PLA have to rescue people who are trapped on the foreshore.
2. Environmental – The foreshore provides important habitat for wildlife, and it may also have historical contamination issues.
3. Archaeological – there are items and areas of the foreshore which are of archaeological interest. Anyone wishing to search the foreshore in any way needs a permit from the PLA. The permit is required for searching, metal detecting, digging, scraping etc. The PLA does not wish to encourage unlicensed access to the foreshore.

However the PLA considers that these access points can in fact serve as extremely important egress points from the River for people who get into difficulty either in the River Thames or on the foreshore. It is therefore considered that specific reference should be made to egress and not simply to access.

The PLA recommend the following amendments to paragraph 9.16.3 of the Draft Plan:

Suggested amendments to reasoned justification at paragraph 9.16.3:

"Historic steps and slipways to the Thames foreshore are vital for enabling access and egress. ~~for activities and events.~~ The Thames Path and the towpaths are particularly important in terms of providing safe access for a large number of Londoners along the waterways, facilitating their enjoyment of the river as well as providing health and wellbeing benefits. Development proposals provide a significant opportunity to improve and expand the Thames Path and the towpaths where appropriate, and to develop better linkages to the transport network, including to Riverbus services and piers. This requires prioritisation and collaboration between local, strategic and institutional partners. Borough River Strategies and Thames Strategies should support these opportunities".

Riparian Life Saving Equipment:

The PLA considers that in policy SI16 under part F there should be a specific reference to the need for any new development alongside the river to provide riparian life saving equipment (such as grab chains, access

ladders and life buoys) to a standard recommended in the 1991 Hayes Report on the Inquiry into River Safety. There are currently gaps in the provision of, and variations in the, equipment that is provided. An overarching strategic commitment to ensure the riverside environment is wholly accessible and safe would be welcomed. It would also be appropriate to add in a reference to Riparian Life saving equipment under policy D7 (Public Realm) ensuring the public realm at riverside locations continues to be a safe environment. Suicide prevention measures should also be considered. Tragically, there are typically 30 fatalities in the tidal Thames each year, comprising both suicides and accidental drownings. As Custodians of the tidal Thames, reducing this loss of life is of the utmost priority for the PLA. Reference at a regional level to the encouragement of suicide prevention methods and guidance (i.e. by requiring development proposals to provide infrastructure to prevent/discourage people from entering the water but allowing egress from the water to the land, and securing suicide prevention measures on proposed new bridges,) should be promoted. The PLA would recommend the following text is introduced to policy SI16 and reasoned justification.

Suggested new policy wording SI16 part F:

“Development Proposals along waterways should provide riparian life saving equipment infrastructure to the current recommended standard and appropriate suicide prevention measures to ensure that London’s waterways are safe and accessible.”

Suggested additional explanatory text relating to SI16 (to be inserted after 9.16.3):

“Any development alongside London’s waterways should ensure that the safety of the riverside environment is maintained for all users, one way this can be achieved is through the consistent provision of appropriate riparian life saving equipment such as grab chains, access ladders and life buoys throughout London and appropriate suicide prevention measures Development Plans and Development Proposals should take into account the need to provide infrastructure to discourage people from entering the water but which still allows egress from the water to the land ”.

Part G

In part G of the policy it is not clear if the reference to ‘along waterways’ relates to access infrastructure physically over waterways or alongside the waterways. If it is access infrastructure over waterways (to the foreshore) please see comments above for part F. The PLA recommend the following amendment to the Draft Plan to clarify this:

Suggested amendment to SI16 part G:

“Development proposals alongside waterways should explore opportunities for new, extended, improved and inclusive access infrastructure to the riverside.”

Part H:

The PLA broadly supports part H of this policy, regarding improving and expanding the Thames Path and the towpaths, which accords with the PLA's Thames Vision and its promotion of the joining up of the Thames Path from source to sea. However the Draft London Plan should recognise that there can be particular challenges in finding the best route near Safeguarded Wharves and pragmatic solutions that achieve appropriate and safe public access whilst taking into account safety, regulatory and operational requirements of the operator should be sought. The PLA recommend the following amendments to policy SI16 part H and the associated reasoned justification:

Suggested amendments to SI16 part H:

“Development proposals should improve and expand the Thames Path and the towpaths where appropriate and provide better linkages to the transport network. This will require collaboration with relevant partners including the London boroughs, the PLA and the Canal and River Trust, the Environment Agency and Natural England, as well as landowner, developer and community representatives. These paths will be public and not private spaces.”

Suggested additional explanatory text relating to SI16 part H (to be inserted after 9.16.3):

“When considering the potential expansion of the Thames Path, and finding the best route to and alongside the riverside in the vicinity of a safeguarded wharf, pragmatic solutions are required that achieve appropriate, safe public access, taking into account safety, regulatory and operational requirements of the Safeguarded Wharf operator.”

Policy SI17 Protecting London's Waterways

Part C:

Part C of policy SI17 should be expanded to include some of the text included in paragraph 9.17.2, specifically referring to the need for Development Proposals to ensure that navigation, river regime, biodiversity and the character and use of waterways are not compromised. The PLA considers that this wording must be included in the policy itself, with the five specific caveats mentioned above. The PLA recommend the following amendments to the Draft Plan:

Suggested amendments to SI17 part C:

*"Development proposals into the waterways, including permanently moored vessels and development into the waterways should generally only be supported for water-related uses, **and must address any potential navigation, river regime, biodiversity issues and ensure that the character and use of the waterways are not compromised**"*

Suggested amendments to reasoned justification at paragraph 9.17.2:

"Generally, permanently-moored vessels and development into waterways should only be permitted for water-related uses. However, uses such as bars and restaurants (for example ancillary to a passenger pier), and improved access to or along waterways and related public realm, can add to the diversity, vibrancy and regeneration of waterways, in particular in basins or docks. Any such Development Proposals must demonstrate that they do not compromise ~~the specific siting of such facilities requires careful consideration so that~~ navigation, river regime, biodiversity and the character and use of waterways. ~~Are not compromised.~~"

Part E

The PLA in principle supports the reference in the policy to providing on-shore power at water transport facilities at wharves and residential moorings to help reduce air pollution however; the PLA considers the mandating of the installation of onshore power should be avoided. The requirement to install shore side power could prohibit the provision of new water transport facilities, including the reactivation of Safeguarded Wharves due to the cost associated with the provision of shore-side power, forcing freight back onto roads and potentially resulting in no new piers and moorings. Also, some inland sites do not have

a vessel on site for long enough periods to use it. Even without shore power, waterborne freight is an environmentally beneficial mode of transport and it would be counter productive if the requirement for shore side power made it impossible for waterborne transport to deliver its environmental benefits for London.

The PLA's draft Air Quality Strategy includes proposals to encourage the installation of green technology including shore power through the river works licensing regime and to undertake a detailed feasibility into the potential of installing shore-side power at a site in London.

In addition, it is noted in paragraph 9.17.3 that a pollution baseline is mentioned. The PLA believes that this is referring to the London Atmospheric Emissions Inventory (LAEI) mentioned in paragraph 9.1.7. This should be made clearer in the policy wording.

The PLA therefore recommend the following amendments to Draft Plan policy SI17 and the associated reasoned justification:

Suggested amendments to SI17 part E:

*"On-shore power at water transport facilities should be **considered** ~~provided~~ at wharves and residential moorings to help reduce air pollution".*

Suggested amendments to reasoned justification at paragraph 9.17.3:

*"Pollution from vessels should be minimised in terms of emissions from vessels and related land-side infrastructure. A baseline **using the LAEI is** being established jointly with key stakeholders including Transport for London and the PLA, along with appropriate measures and investment to minimise impact. This includes the requirement in this policy to **consider** ~~provide~~ on-shore power at wharves and moorings."*

Policy T1 Strategic approach to transport

Although the PLA notes that support is given to the use of the river for the transport of freight in paragraph 10.1.3 of the reasoned justification of policy T1, there is no mention of sustainable transport and modal shift in the policy itself. The PLA considers that the policy should go further to specifically reference the need to maximise use of the River Thames and promote increased modal shift from road to river. The PLA recommend the following amendment to part B of policy T1:

Suggested amendment to T1 part B:

*"All development should make the most effective use of land, reflecting its connectivity and accessibility by existing and future public transport, walking and cycling routes, and ensure that any impacts on London's transport networks and supporting infrastructure are mitigated. **The promotion of efficient and sustainable freight functions including by road, rail, water and, for shorter distances, bicycle should be considered in all development.**"*

Policy T3 Transport capacity, connectivity and safeguarding

The PLA notes the reference to protecting access to and improving the Thames Path and, where relevant, improving its alignment with the Thames. As noted above under policy SI16, the PLA in its Thames Vision promotes the joining up of the Thames Path from source to sea. It needs to be recognised however that there can be particular challenges in finding the best route near Safeguarded Wharves in London, and pragmatic solutions that achieve appropriate, safe public access taking into account safety, regulatory and operational requirements of the operator are needed. The PLA therefore recommend the following amendment to the Draft Plan:

Suggested amendments to T3 part B(3):

*"safeguarding the Walk London Network, protecting access to and improving the Thames Path and, ~~where relevant,~~ **where appropriate.**"*

Table 10.1 refers to a number of transport schemes which would involve crossing the River Thames via bridges or tunnels. The Thames Vision considers that there is a pressing need for better river crossing infrastructure to enable transport of freight, and improved connectivity for people. Any crossings need to be sited and designed so that they allow the full range of river uses to continue and the PLA therefore must be involved at an early stage with any discussions involving river crossings. Table 10.1 also refers to river services extensions to the east (subject to further assessment) which the PLA supports in principle.

Policy T4 Assessing and mitigating transport impacts

The PLA welcomes the reference to travel plans and construction logistics plans in policy T4. It should be stated as part of the reasoned justification that where relevant (i.e. in close proximity to the River) these documents should give specific consideration to water transport and seek to maximise the role that the river can play in terms of passenger transport and the transportation of construction and waste materials to and from development sites. Where opportunities are identified in the documents, appropriate commitments must be made to river use at an early stage. The PLA recommend the following amendments to the reasoned justification:

Suggested amendments to reasoned justification at paragraph 10.4.3:

*"It is important that development proposals reduce the negative impact of development on the transport network and reduce potentially harmful public health impacts. The biggest transport-related impact of development on public health in London is the extent to which it enables physical activity from walking, cycling and using public transport. The other main impacts on public health relate to air quality, road danger, noise, and severance. The phasing of development, and the use of travel plans and freight strategies, may help reduce negative impacts and bring about positive outcomes. **Alternative forms of sustainable transport, such as river transport must form part of the consideration for development proposals to reduce the negative impact of development on the transport network.** Where adverse transport impacts have been identified from development proposals, mitigation will be sought in the form of financial contributions – to improve network service levels for example – or through directly providing infrastructure such as additional bus stops and street improvements."*

Policy T7 Freight and servicing

The PLA broadly supports this policy, particularly the references in paragraph 10.7.4 of the reasoned justification to the need for development proposals to demonstrate through Construction Logistics Plans and Delivery and Servicing Plans that all reasonable endeavours have been taken towards the use of non-road vehicle modes, and that where water freight facilities are available, TfL's freight tools should be used in the development of a sites freight strategy. This approach is in general conformity with the PLA Thames Vision's goal for more goods, materials and waste to be moved by river, however as stated above under policy T4, there should be specific reference to the need for Construction Logistics Plans, for sites that are close to waterways, to demonstrate that they have given specific consideration to the maximisation of

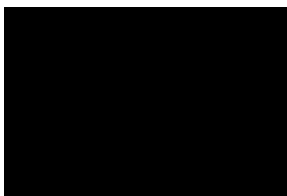
sustainable transport methods. The PLA recommend the following amendments to the reasons justification:

Suggested amendments to reasoned justification at paragraph 10.7.6

*“Transport for London’s guidance on Construction Logistics and Delivery and Servicing Plans should be adhered to when preparing planning applications. Plans should be developed in line with this guidance and adopt the latest standards around safety and environmental performance of vehicles, **and include specific consideration of alternative forms of transport (such as river transport) if the development proposal is in close proximity a waterway.** The plans should be monitored and managed throughout the construction and operational phases of the development. TfL’s freight tools including CLOCS (Construction Logistics and Community Safety) should be utilised to plan for and monitor site conditions to enable the use of vehicles with improved levels of direct vision. This should be demonstrated through a Site Assessment within a Construction Logistics Plan. Development proposals should demonstrate ‘good’ on-site ground conditions ratings or the mechanisms to reach this level”*

The PLA looks forward to continuing to work with the GLA and partners to meet aligned goals in the Thames Vision and London Plan for the benefit of all those who live, work and visit London. We hope the information set out above is of assistance, if you wish to discuss any issues raised in this response please contact us on the details contained at the top of this response

Yours Faithfully



Michael Atkins
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