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Barking Riverside

Transport and Works Act (1992) Application
for the Proposed London Overground
(Barking Riverside Extension) Order

Statement of Case

Prepared by Barton Willmore LLP on behalf of Barking Riverside Limited

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Barton Willmore LLP
7 Soho Square
London
W1D 3QB

Tel: 020 7446 6888
Fax: 020 7446 6889
Email: Iain.painting@bartonwillmore.co.uk

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1.0 INTRODUCTION AND OVERVIEW

- 1.1 This statement is provided on behalf of Mr Matthew Carpen, Project Director of Barking Riverside Limited. Barking Riverside Limited (BRL) is the joint venture company formed by the Mayor of London and London and Quadrant to promote the regeneration of Barking Riverside. Mr Carpen wishes to give evidence at the forthcoming inquiry in support of the application for an order under the Transport and Works Act (TWA) promoted by Transport for London (TfL).
- 1.2 Barking Riverside is a 179 ha area of land ('the Site'), with a 2km frontage to the River Thames, south of the A13 within the administrative area of the London Borough of Barking and Dagenham (LBBD). The Site was previously used for power generation, accommodating coal fired powers stations with ash lagoons, and has been identified for a considerable period for residential led regeneration. The Site falls within the London Riverside Opportunity Area, which is identified in the London Plan to provide for 26,500 new homes and 16,000 new jobs.
- 1.3 The Site benefits from the grant of planning permission, in outline, dated 2009 (the Permission). This provided for, inter alia, 10,800 new homes, 65,600 sqm of commercial, retail accommodation, with new schools and social and community facilities.
- 1.4 Over 700 new homes have been built. In addition, three new primary schools have been built in addition to a new secondary school and a special needs school.
- 1.5 The success of this strategically important regeneration project is dependent upon providing efficient public transport, to provide a realistic alternative to the private car.
- 1.6 The Permission is predicated on the delivery of an extension to the Docklands Light Railway (DLR) from Beckton in the west, through the site to Dagenham Dock, east of the Site. Whilst the Permission contains limitations on occupations until a TWA Order for DLR extension is in force and subsequently until the scheme is operational, being 1500 and 4000 new homes respectively, the Permission did not provide for the funding of the DLR extension.

- 1.7 The DLR has not been progressed and following further review and analysis of options, the extension of the London Overground to serve Barking Riverside (the Barking Riverside Extension or BRE) has been identified as the most appropriate scheme. BRL have been engaged in the decision making process that identified the BRE as the preferred transport option to serve Barking Riverside and fully supports the principle of the scheme
- 1.8 The BRE will run in a north south direction, from the Essex Thameside (Tilbury Loop) line to the east of Renwick Road and will terminate at a new station in the heart of Barking Riverside, which will form the focus of a new district centre, referred to as Station Square.
- 1.9 Together with improvements and extensions to bus services, the highway network and walking and cycling, the BRE will form part of a sustainable transport network to provide access to not only Barking Riverside but act as a catalyst for the wider regeneration aspirations for London Riverside.
- 1.10 The BRE is being promoted by TfL by way of a TWA Order application, which will, if made, provide the powers necessary to construct, operate and maintain it. A separate application for a direction for deemed planning permission will, if granted, provide planning permission for the BRE, including a station at Barking Riverside. The BRE will necessitate a revision to the proposals within the extant Permission and these have been accommodated in a further application in respect of the Site, submitted pursuant to s73 of the Town and Country Planning Act 1990 (the 1990 Act) (the s73 Application) in January 2016. This application was considered by members of LBBDD on 27 July 2016 who resolved to grant permission, subject to completion of the s106 agreement and referral to the Mayor of London.
- 1.11 TfL, as promoters of the BRE, will address in evidence the design of the BRE, its evolution and the technical basis for delivery. The aim of Mr Carpen's evidence on behalf of BRL is, subject of course to any direction by the Inspector, to explain:
- The vision for Barking Riverside, the key principles, aims and objectives;
 - The relationship of the BRE to the delivery of the vision for Barking Riverside;
 - The accommodation of the BRE into the scheme;

- The programme for implementation and delivery of a sustainable new community to provide much needed new homes for London and the London Borough of Barking and Dagenham, serviced and accessed by sustainable transport, which is efficient, attractive and provides a sustainable alternative to the private car.

2.0 BARKING RIVERSIDE

Aims and Objectives – A Vision

- 2.1 The aim of BRL is to deliver with its partners a sustainable residential, mixed use development, providing much needed new homes for this part of London
- 2.2 The joint venture company owns the land holding and its purpose is to obtain a viable planning permission to allow the remediation of the land and take forward all infrastructure delivery as master developer - including all service media, roads, landscaping and public realm. BRL sells serviced land parcels to plot developers for commercial return to fund the business plan model.
- 2.3 The business plan model is based on land sales to fund infrastructure works and other payment under the section 106 agreement, including other financial contributions such as the rail funding as set out in section 4 of this statement.
- 2.4 Barking Riverside's partners (plot developers constructing the homes) will provide homes for all sectors of the community, including affordable housing, with access to jobs and social and community facilities.
- 2.5 The long term governance arrangements will provide a platform for community engagement through a Community Interest Company (CIC) that will inherit the freehold of all the public open space, public realm and non-adopted roads and spaces. It will be the CIC that will act as the custodian of the long term project interest through the management and development of the new community.
- 2.6 The technical solutions to meet the energy and waste demands of the community will rely upon best practice and emerging technologies, not least by the provision of 'Envac', a communal vacuum waste collection system. Barking Riverside has been designated as a 'Healthy New Town' in the Government initiative to promote a healthy life-style through the design and occupation of new development.

- 2.7 Barking Riverside falls within the London Riverside Opportunity Area as identified in policy 2.13 (see Annex 1) of the London Plan. London Riverside is identified as having the potential to provide 26,500 new homes, within which, Barking Riverside is to provide 10,800 new homes. The prompt delivery of the new homes at London Riverside and Barking Riverside is fundamental to the realisation of the London Plan and the aspirations for London Riverside.
- 2.8 The importance and role of Barking Riverside is reflected in the adopted Core Strategy (2010) and its regeneration has been long supported by LBBD.
- 2.9 Permission was granted in 1994 for a remediation scheme. Remediation has continued and the first site-wide permission was granted in 2007, which followed smaller scale permissions for the development of what is now referred to as Great Fleete. This first site wide outline planning permission was followed by a second, in 2009, pursuant to s73 of the 1990 Act and it is this second permission which has been implemented. The accompanying s106 agreement has been subject to a number of variations.
- 2.10 The Permission is parameters based and as such, the approved drawings comprise a number of parameter plans which accompany a written scheme of parameters.
- 2.11 The site lies south of the A13 and is divorced from Barking Town Centre, the public transport interchange of Barking Station, and the residential communities to the north of the A13. In addition to the need to integrate the development with the surrounding area (which is also identified for regeneration), there is a need to limit impact upon the A13 and local highway network. These requirements should be considered in the context of the planning policy objective of providing for a sustainable transport strategy, by providing for a reduction in the use of the private car and an emphasis upon more sustainable means of transport. A transport strategy for Barking Riverside has been developed with TfL, GLA and LBBD and is to be secured through a new s106 agreement.

2.12 Under the terms of the extant Permission, the previous transport strategy was based upon a combination of measures and interventions, including a bus based rapid transit scheme referred as East London Transit (ELT), walking and cycling and the extension of the DLR from Beckton, through the site to Dagenham Dock. The updated transport strategy, developed to accompany the s73 application remains based upon a combination of measures and interventions, but with the BRE at its centre. The BRE is essential to enable the transport strategy to be achieved.

2.13 The BRE results in:

- The provision of a single station and interchange as opposed to a more dispersed pattern around the three DLR stations; and
- The need to accommodate the BRE which would run north south as opposed to the DLR corridor which would run east-west.

2.14 This has necessitated a review of the parameters that form the basis of the Permission and the results of this review are now the subject of the extant s73 application. Various strategies that underpin the scheme have also been reviewed.

2.15 The opportunity is also being taken to review the s106 agreement, to ensure that it reflects current policy and practice and the aspirations of BRL, LBBB, the GLA and others. It is anticipated that the s106 agreement will be completed in the autumn of 2016 and permission issued thereafter.

3.0 THE BENEFIT OF THE BRE TO BARKING RIVERSIDE AND THE LONDON RIVERSIDE AREA

- 3.1 The BRE is essential to enable the successful building of a new community at Barking Riverside, one that is integrated with the existing community and at the same time is seen as desirable and reflecting the vision and objectives of BRL, LBBD, the Mayor of London and TfL. The provision of public transport, and particularly the BRE lies at the heart of the proposal.
- 3.2 The Barking Riverside site is not currently served by rail or Underground, which reduces the attractiveness and viability of Barking Riverside as a location for housing development. The BRE would deliver public transport capacity that provides an efficient and sustainable link to the Site that not only addresses the technical constraints on access but also improves the attractiveness of the Site and surrounding area.
- 3.3 The current s73 Application is accompanied by an Environmental Statement, setting out the results of an Environment Impact Assessment, which includes an assessment of the likely transport impacts. Buses, the extension of ELT and walking and cycling can all contribute but there is a need for a sustainable mass transit scheme or similar to achieve the target level of mode share required.
- 3.4 The BRE will achieve this. From the new station at Barking Riverside, ELT, bus services, walking and cycling will provide safe and efficient access to the new homes (with taxis also provided for), both within the Site, but also to the surrounding communities and the regeneration initiatives at Thames View and Creekmouth.
- 3.5 The BRE would provide a direct service from Barking Riverside to Barking and all other stations along the Gospel Oak to Barking line. It would also connect the Site with Barking Town Centre and rail station for excellent onward connections by Underground and c2c services to the City of London, the West End as well as Stratford and Canary Wharf via a single interchange. The BRE would offer significant journey time savings and improve access to employment for residents.

- 3.6 The new station, will act as a focal point for the new community, and will lie within the new District Centre, named Station Square, just to the south of the new secondary school. The District Centre will provide retail and community opportunities, together with employment space. We are also working with LBBD to deliver a new leisure centre. The new station will assist in generating 'footfall', or passing trade, to support the local shops and services.
- 3.7 The TWA Order and related direction for deemed planning permission will provide powers and planning permission for the new station and railway and through careful design at the detailed stage, in tandem and conjunction with BRL, opportunities arising from the BRE can be realised.

4.0 FUNDING OF THE BRE

- 4.1 The extant permission did not provide the funding for the extension of the DLR. As a reflection of the importance of the BRE to the successful delivery of Barking Riverside, BRL will contribute £172m to the cost of the BRE. The contribution was formalised with BRL entering into a funding agreement with TfL in March 2016. This is in addition to the other contributions to be secured through the s106 agreement (including contributions to bus improvements, walking and cycling) as well as the continued provision of new schools, sport and recreation opportunities.

5.0 TECHNICAL REQUIREMENTS

5.1 BRL has worked closely with TfL to ensure that the technical requirements of the BRE are accommodated within the scheme, both during the construction phase and once the BRE is operational.

5.2 BRL has entered into a Land and Works Agreement (LWA) with TfL to ensure that both the Barking Riverside development and the BRE are able to progress efficiently. This set out how:

- Both parties would progress their respective projects, interface with each other and support each other in their respective proposals governed through a joint project board.
- BRL would provide an envelope of land within the BRL site for the construction of the BRE and on which BRL will be prevented from carrying out works without TfL consent.
- BRL consents to TfL exercising Order powers over this land to construct the BRE and to acquire permanent interests for operation and maintenance.
- Due to the fundamental importance of the scheme to BRL in delivering the 10,800 homes BRL waives all rights to compensation under the statutory compensation code relating to the compulsory acquisition and temporary occupation of land.
- As soon as reasonably practicable, and once TfL no longer require land acquired for the construction of BRE, TfL will yield up parts of the BRL site not required permanently for the operational infrastructure, in accordance with an agreed schedule of condition.

5.3 The parameters that set out the core principles of the development have been reviewed in light of the requirements of BRE and to ensure that the benefits arising from the BRE are realised. This includes:

- Adjustment of development areas to provide sufficient set back from the railway to maintain amenity;
- Location of the District Centre and public transport interchange (from BRE to bus, walk and cycle) within the station square, colocated with the new station;
- Review of spatial phasing to ensure that the community builds around the station.

6.0 TIMING AND DELIVERY

- 6.1 There is a requirement for the BRE to be operational before 4000 homes can be occupied, including those that have been built to date. The draft terms of the new s106 agreement also provide for a limitation of 1500 occupations until such time as the TWA Order is in force. The only uncertainty at this stage is the grant of the necessary powers and approvals pursuant to the TWAO.
- 6.2 The phasing of the development is not fixed at the outline stage. However, the programme provides for 4000 residential occupations by 2021. This coincides with the opening of the BRE and is consistent with the transport strategy.
- 6.3 Work on the SFP for Station Square will commence shortly, together with further details of the strategic infrastructure scheme or SFP, both of which are scheduled for submission late 2016/early 2017.
- 6.4 BRL will be responsible for creating serviced land parcels, for disposal to others for implementation. BRL therefore acts as strategic infrastructure provider, promoter and management of the implementation and occupation phases.

7.0 SUMMARY AND CONCLUSIONS

- 7.1 Barking Riverside is an exciting and ambitious regeneration project, promoted through joint working with LBBD, the Mayor of London including TfL and the GLA. The BRE is essential to enable the full development to be realised. It lies at the heart of the scheme, and will deliver not only a safe, efficient and sustainable public transport connection to Barking Town Centre and the City, but will also act as a focal point for the new community, helping to support the retail, leisure and community uses necessary to build a new community south of the A13.

DOCUMENTS TO BE RELIED UPON

Where necessary, Mr Carpen on behalf of BRL will seek to rely upon the core documents provided by TfL and as set out in Appendix 1 of the TfL statement of case.

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