

18 September 2006

**Lambeth Replacement Unitary Development Plan:  
Council Responses to UDP Inspector's Report and  
Proposed Modifications.**

Item **XX**

All Wards / All Areas

**Report authorised by:** Executive Director of Regeneration and Housing : Chris Lee

**Executive summary**

The preparation of a replacement Unitary Development Plan (UDP) began in 2001. The process has involved considerable consultation and stakeholder engagement at various stages of the process. A public inquiry to hear objections took place between March and May 2005. The UDP Inspector's Report on these and other objections submitted in writing was received in February 2006. The Inspector's Report makes recommendations on all the policies and proposals within the Plan, which were subject to objection.

This report draws attention to the main issues raised in the Inspector's Report and summarises the Council's proposed responses to the Inspector's recommendations and puts forward Proposed Modifications to the UDP as a result of this, which are set out in the appendices. It also sets out how Members concerns about various emerging issues are being addressed through proposed modifications to the house conversions policy and to support the delivery of the Building Schools for the Future and Academies Programme, as well as a programme of preparation of Supplementary Planning Documents and policy review to ensure that the Council's aspirations are fully addressed.

**Summary of financial implications**

This is a policy statement not requiring additional funding to implement.

**Recommendation**

- (1) That the responses to the Inspector's Report set out in Appendix 1 are approved;
- (2) That the Proposed Modifications to the UDP set out in Appendix 2 are approved and placed on deposit in accordance with the Regulations; and
- (3) That the Proposed Modifications together with the unaltered parts of the Revised Deposit UDP are approved for use for development control purposes.
- (4) That the Cabinet delegates to the Assistant Director Regeneration and Housing (Planning) authority for any further non-material changes required in preparing documents for the deposit of the Proposed Modifications.

## Consultation

Name of consultee	Directorate or Organisation	Date sent to consultee	Date response received from consultee	Comments appear in report para:
Internal				
Mary Lynch (on behalf of Chris Lee)	Executive Director, Regeneration and Housing	17.08.06	25.08.06	
Robert Overall	Executive Director, Environment and Culture	17.08.06		
Phyllis Dunipace	Executive Director, Children and Young People Services	17.08.06		
Peter Flockhart	Directorate of Legal and Democratic Services	17.08.06	25.08.06	Paras 1.5, 1.10, 2.7, 4.1-4.5, 6.2
Eric Bohl	Executive Director, Strategy and Corporate Services	17.08.06		
Tony Otokito	Directorate of Finance	17.08.06	22.08.06	
Carole Litchmore	Head of Equality & Diversity	17.08.06		
Jo Negrini	Revitalise Interim Programme Director	17.08.06		
Ruth Vincent	Executive Director (interim), Health and Community Services	17.08.06		
Ian Parker	Head of Regeneration	17.08.06		
Councillor Paul McGlone	Cabinet Member for Regeneration & Enterprise	03.08.06	17.08.06	
Councillor Sally Prentice	Cabinet Member for Children and Young People	17.08.06		
Councillor Toren Smith	Chair Planning Applications Committee	17.08.06		
Councillor Diana Morris	Vice Chair Planning Applications Committee	17.08.06		
Councillor John Kazantzis	Cabinet Member for Housing	17.08.06		
Councillor Lib Peck	Cabinet Member for Environment and Cultural	17.08.06		
<b>Entered in Consultation and Events Diary?</b>				
No				

## Report history

<b>Decision type:</b> Key decision.	<b>Urgency item?</b> No.		
<b>Authorised by Executive member:</b>	<b>Date report drafted:</b>	<b>Report deadline:</b>	<b>Date report sent:</b>

03.08.06	21.07.06	25.08.06	25.08.06
<b>Report no.:</b>	<b>Report author and contact for queries:</b>		
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## Background documents

Adopted Unitary Development Plan, August 1998  
Revised Deposit Draft Unitary Development Plan, June 2004  
Lambeth Replacement Unitary Development Plan Inspector's Report, February 2006  
The Town and Country Planning Act 1990  
The Town and Country Planning (Development Plan) (England) Regulations, 1999  
The Planning and Compulsory Purchase Act 2004  
Town and Country Planning (Local Development) (England) Regulations, 2004

## Appendices

1. Response to Inspector's Report
2. Proposed Modifications
3. List of Inspector's Report recommendations not accepted by the Council in full or part
4. List of Inspector's Report recommendations for policies and Major Development Opportunity sites

## Lambeth UDP – Inspector's Report and Proposed Modifications

### 1. Context

- 1.1 The Unitary Development Plan (UDP) is a key strategic document. It sets out the framework and strategy for how development will shape the Borough in the future and deliver the Council's priorities in meeting the needs of residents, businesses and other stakeholders. The UDP contains policies, which are used to negotiate and decide planning applications, ranging from residential extensions and alterations through to major development proposals such as those for tall buildings and housing estate regeneration schemes such as Clapham Park. It provides the tools with which to achieve regeneration objectives and maximise community and other benefits through development.
- 1.2 Policies contain requirements for affordable housing, the mix of uses, safeguarding open space and protecting listed buildings and the historic environment. Policies promote development and resultant investment to provide new jobs, homes, different forms of commercial activity as well as leisure and essential community uses serving local and wider needs in different locations, such as the town centres, Vauxhall and Waterloo. It also includes over 120 Major Development Opportunity sites spread throughout the Borough indicating the way these sites should be developed.

- 1.3 The preparation of a new UDP began in 2001 to replace the UDP adopted in 1998 and the process is now nearing the end. The process has involved substantial consultation and opportunities for representations at various stages. A public inquiry took place in 2005 to hear objections and the Inspector's Report on these and objections submitted in writing was received in February 2006 and published in March 2006.
- 1.4 Following receipt and publication of the Inspector's Report, members and officers were sent copies together with a summary note of the main points and issues in order to ensure that all relevant concerns for the Council's strategies and any relevant implications for service delivery could be considered. This was followed up with a further round of consultation inviting discussion of any issues of concern. Briefing sessions were offered in order to assist this. Finally as part of this process of consultation, another briefing note and invitation specifically to members was sent out for a round of workshops. Two of these took place in July, and August with a third arranged for September.
- 1.5 Now the Council has to decide how to respond to the Inspector's recommendations, which are not binding (but any decision not to accept the Inspector's recommendations does allow for further objections to be made and could potentially lead to a second inquiry - see further in paragraph 4.2) and make final modifications to the Plan. Over 90% of the recommendations were in support of the Council's position but there are still issues that need to be addressed. However, the UDP preparation process is governed by strict legal procedures, which limit the range and scope of further changes that can take place at this late stage without the need to hold a further public inquiry.
- 1.6 Within this scope proposed modifications have been included in order to address emerging Member concerns about the house conversions policy and to support the delivery of the Building Schools for the Future Programme in order to align policies in the Plan with the Council's priority issues. A more wide ranging assessment of the match of policies to the needs and priorities of the new Council's strategies will take place following the adoption of the UDP and taken forward as necessary. In addition various Supplementary Planning Documents (SPDs) will be prepared. These cannot introduce new policies but can expand policy or provide further detail to policies.
- 1.7 Proposed SPDs include residential guidelines (which would include more detail on the house conversion policy), shopfronts, personal safety and security, residential extensions, planning obligations, and sustainable construction.
- 1.8 Adoption of the UDP is important as it will give its policies a statutory basis and more weight in the negotiation and decision-making process. The replacement UDP contains many policies specific to different parts of the Borough with visions and strategies for these areas accompanied by sites identified as Major Development Opportunity sites (MDOs) to support the realisation of these. There are area specific policies for Brixton, Clapham, Herne Hill, Streatham, Upper Norwood, West Norwood, Vauxhall, Waterloo as well as other parts of the Borough.
- 1.9 These area specific policies together with the sites identified as MDOs provide the basis for strategies to be pursued for individual town centres. These can be

taken forward through UDP policies or may benefit from the preparation of additional strategies with further policies and site specific guidance where this is necessary to realise community benefits and investment opportunities as well as dealing with pressure for development more effectively.

- 1.10 Once approved by Cabinet the proposed modifications will be the subject of a formal 6 week deposit (consultation) period. After considering any objections it receives to the proposed modifications or to its decision not to accept any of the Inspector's recommendations, the Council will finally be in a position to adopt the UDP, unless a second inquiry is held as a result. When adopted the Plan will have statutory status.
- 1.11 This report addresses:
- the proposed Council responses to the UDP Inquiry Inspector's Report, received in February 2006; and
  - Proposed Modifications to the Lambeth Replacement UDP.
- 1.12 Though the overwhelming majority of recommendations by the Inspector were in favour of the Council, there are a number of issues where the Inspector has recommended changes. The full list of the Inspector's recommendations and suggested Council responses are set out in Appendix 1. The Proposed Modifications are set out in Appendix 2. The list of recommendations not accepted by the Council, which are a requirement in the Regulations are set out in Appendix 3. In addition Appendix 4 sets out the Inspector's recommendations in respect of all policies and Major Development Opportunity sites which were subject to objection. These have been divided into four categories – no modifications; minor modification; significant change; and re-drafting/deletion.
- 1.13 The key issues to draw to Members attention are set out below.

## **2. Proposals and reasons**

### The Inspector's Report

- 2.1 The Inspector had to address 2,336 objections, 168 of which were presented at the Public Inquiry, which took place between March and May 2005. The remainder were dealt with by way of written representations. The Inspector made 229 recommendations, over 90% recommending no change or minor/inconsequential changes to the replacement UDP, nevertheless this has required over 200 modifications, including deletion of text, updating, minor and more significant wording changes.
- 2.2 Support for the Council's policies included the policies for safeguarding employment sites (Policies 21-23), including Key Industrial Business Areas (KIBA) (Policy 22), open space (Policy 45), community (Policy 26), leisure and recreation uses (Policy 45). The Inspector supported the policy on affordable housing (Policy 16), which seeks the provision of 40% or 50% affordable housing dependent on public subsidy on sites capable of providing 10 or more units or 0.1 hectares and above in size; the inclusion of housing in mixed development equivalent to the increase of commercial floorspace (Policy 20); support for

Policy 32a on renewable energy, which requires major development to provide 10% of their predicted energy requirements. However, implementation of this policy is conditioned on the preparation of guidance on how this will work in practice before the policy is applied; and unconditional support for Policy 32b promoting sustainable design and construction. The Inspector supported the Council's policy on planning obligations (Policy 50a) with just minor wording changes.

### Schools

- 2.3 It is necessary to provide flexibility and greater certainty to reflect the possible needs arising from the Council's emerging programme for transforming education involving the Building Schools for the Future and Academies Programme. The development requirements of these programmes emerged at a late stage of the UDP process. The Inspector endorsed a new policy dealing with proposals for new schools and extensions, which was put forward by the Council in response to issues raised at the public inquiry about how the UDP policies would support the implementation of the Council's Building Schools for the Future and Academies Programme. However, there is a further need to align UDP policies with the Council's programme for new schools to try to ensure that proposals do not result in departures from the replacement UDP.
- 2.4 This has led to further proposed modifications to specifically address the issue that due to the locational and size requirements for new schools there may be an overriding need for their location to be on land designated for business use or safeguarded for employment purposes. This is the case with proposals for new Brixton Academy on the Shakespeare Road site, which is in a Key Industrial Business Area. A proposed modification has therefore been made to the KIBA policy (Policy 22). This states that development of a site or use of buildings for school purposes may be acceptable in limited circumstances, subject to various criteria including that there are no other suitable options available and the loss of the site would not have an unacceptable effect on the supply of industrial land.
- 2.5 This proposed modification is in addition to the Inspector's recommendations but the proposal for a school on the Shakespeare Road site was discussed at the public inquiry. In addition there has been a need to carry out consequential changes to Policy 23 to include school use in the definition of employment use. Also Shakespeare Road has been deleted as a Waste Management and Manufacturing Area as the UDP incorrectly indicated that it was used for waste purposes whereas it has, and is being used just for the parking and servicing of the waste and street cleansing vehicle fleets.

### Conversions

- 2.6 Similarly a modification is proposed to the house conversions policy (Policy 17) in response to concerns raised by members about the level of the minimum size threshold of houses, which would be allowed for conversion. The policy (Policy 17) in the replacement UDP states that dwellings would need to be at least 120 square metres, as originally constructed. The Inspector supported this policy. Members have expressed concern that many parts of the Borough have experienced considerable amounts of conversion activity and that even this

threshold size would still result in the character of streets and supply of family sized accommodation being undermined.

- 2.7 The Inspector stated that the Council's policy objectives to protect the limited stock of small, second-hand dwellings with gardens are laudable; that this will help in securing and maintaining a balance of accommodation within the Borough. The Council in its evidence to the Inspector referred to the Wandsworth UDP policy, which seeks to protect 3 or 4 bedroom houses. The Inspector commented that there was no reason why the same size threshold should not be applied to Lambeth. In order to address Members' concerns and to fully reflect the Inspector's comments, a modification is proposed in respect of the size threshold, by stating that the size threshold will be higher than 120 square metres in areas where there is a need to safeguard the availability of three and four bedroom houses. The potential consequences of this modification are referred to in paragraphs 4.2. and 6.2.
- 2.8 This can be justified in relation to national and London Plan policies, which seek mixed and balanced communities and to ensure that local housing supply meets the full range of local housing needs. The Council's local housing needs assessment has highlighted a shortage of 3 and 4 bedroom accommodation. A report published in July 2006 by the London Assembly also emphasised this. Most new housing supply in the Borough in recent years and in the housing development pipeline comprises of 1 and 2 bedroom units. Small units have also dominated the supply of dwellings resulting from house conversions. An analysis of planning applications approved during 2004 and 2005 showed that 86% of the 611 flats approved were either one or two bedroom with less than 1% (4) being 4 bedroom or above.
- 2.9 Streets in various parts of the Borough are dominated by converted properties. This not only reduces the choice and availability of accommodation for families but has also resulted in increasing pressure and stress on the environmental capacity of residential areas to support such increased intensity of levels of accommodation in houses and streets, which were not designed to support such high and intensive levels of occupation. Supporting text on these lines accompanies the additions to the policy. Following the adoption of the replacement UDP a Supplementary Planning Document will be prepared to explain how this and other aspects of the conversions policy will apply in practice together with guidance on other aspects of housing policy. This will be subject to public consultation and procedures set down by Government.

### High Buildings

- 2.10 The Inspector supported the Council's criteria based policy on high buildings (Policy 37). However, the Inspector recommends that the policy should be positively worded to state that new high buildings, including extensions to existing buildings will be permitted rather than saying that they will not be permitted unless they meet all the criteria. This recommendation is accepted. Also, additional text which states "The London Plan provides the strategic framework for tall buildings in the capital. Applications involving tall buildings will be referred to the Mayor for his views and over which he has power of direction" will be added as recommended by the Inspector.

- 2.11 The Inspector accepts that it would be inappropriate to identify locations for high buildings in the policy as a detailed urban design study had not yet been carried out by the Council. He recommends and it is proposed to accept the addition of a commitment in the UDP that this will be carried out.
- 2.12 In practice this has already started through an urban design capacity study of Vauxhall. This will be taken through into the preparation of an Area Action Plan and will also be comprehensively addressed in the preparation of the Area Action Plan for Waterloo, which is due to start following publication of the GLA led Waterloo Development Framework.

#### Open Space

- 2.13 In practice a number of issues have arisen in relation to Policy 45 on open space. The policy states that small scale development that is ancillary to the use and enjoyment of open space would be acceptable without indicating in the supporting text what is meant by this. Additional wording is therefore proposed to address this. This states that the provision of facilities such as public toilets, changing facilities would be acceptable as well as small scale indoor sports facilities, as long as these are linked to the outdoor activities, and justified in terms of meeting local priority needs for which, there is a shortfall. Also a small addition is proposed to the policy to acknowledge that control over such matters as paving and some building work is not necessarily subject of planning control.

#### Further Issues

- 2.14 There are a number of key issues about development on the South Bank and waste that members' attention is drawn to.

#### South Bank

- 2.15 These relate to facilitating enabling unrelated development on the South Bank, the retention of the Hungerford Car Park Site as Metropolitan Open Land and the wording in respect of the Shell Centre Upstream Building Major Development Opportunity site (MDO 115).
- 2.16 Policy 30 states that development associated with arts and cultural uses will be permitted where it is ancillary and complementary to the arts or cultural use and where there would be lasting benefit from this. The Inspector in response to representations from the South Bank Centre recommends that the policy should be extended to allow unrelated development as well, provided that it is essential to the development and/or retention of arts and cultural facilities; that it would not undermine the character of the South Bank Centre as an arts and cultural quarter and that the proceeds of any such development are applied exclusively to support and enhance the South Bank Arts and Cultural Centre.
- 2.17 Currently there are no specific proposals by the South Bank Centre. However, the Council wishes to give a clear indication of its support for the South Bank Centre and to enable it to achieve its objectives for its development programme. It therefore supports the Inspector's recommendations to allow for the possibility of unrelated enabling commercial development on the South Bank subject to the conditions set out in the Inspector's recommendations. The South Bank will

provide some of the most exciting opportunities in London for development of arts and cultural developments for the foreseeable future. The regeneration of the South Bank is a priority for the Council as well as all major stakeholders in the area. It is not intended that the UDP should hamper options for developments within the framework of UDP and preparations for the Waterloo Development Framework and the Waterloo Area Action Plan. However, the criteria proposed by the Inspector will need to be rigorously defined prior to and applied to any unrelated commercial developments at the South Bank Centre when or if such specific proposals are put forward.

- 2.18 Hungerford Car Park's designation as MOL was considered in considerable detail by the UDP Inspector. The Inspector considered the case put by the South Bank Centre that Hungerford Car Park is the only location within the South Bank arts and culture complex where a new auditorium could be located. He concluded that this was a persuasive argument. However, in the absence of specific proposals indicating the amount, form and location of any enabling development he concluded that at least for the time being that Hungerford Car Park should remain as MOL in its entirety.
- 2.19 The Inspector stated that his deliberations were guided by the undisputed objective of retaining and creating a world class arts and culture facility on the South Bank fit for the 21<sup>st</sup> century. Balanced against which is the eminently sound planning objective of extending Jubilee Gardens to include the Hungerford Car Park site to create a coherent public open space of metropolitan value to serve the increasing number of residents, workers and visitors.
- 2.20 Members are recommended to support this approach. The Inspector does not recommend any change to the UDP in respect of this. However, it is considered that this should be clearly acknowledged with a modification to the UDP indicating that the Council supports this approach and will address this issue in detail as part of the preparation of the Waterloo Area Action Plan.
- 2.21 Planning permission for the Shell site (MDO 115) was granted on appeal in 2004. The approved scheme includes part demolition and the erection of a mixed-use building of some 69,000 square metres on the podium site. The permission maintains pedestrian access across the site between York Road and Belvedere Road but takes up most of the existing open space. The Inspector recommends that the MDO should just state the details of the planning permission granted for the site as this will provide the template for future development proposal if the existing permission is not implemented. Members have indicated that they wish to support this recommendation. The regeneration of the South Bank is a priority for the Council as well as all major stakeholders in the area. The UDP is not intended to hamper options for development within the framework provided by UDP policies and preparations for the Waterloo Development Framework and the Waterloo Area Action Plan, which will seek a balance between commercial, social, and cultural regeneration developments. There are a significant number of UDP policies to assess alternative proposals should the existing permission for MDO115 lapse (specifically Policy 73 - Regeneration of Waterloo; Policy 28 - Hotels and Tourism; Policy 30 - Arts and Culture; Policy 3 - Central London Activities; Policy 16 - Affordable Housing; Policy 21 - Office Buildings; Policy 74 & 75 Public Transport and Urban Design in Waterloo; Policy 37 - Tall Buildings). In addition it is recommended that additional text is included

to emphasise the site's importance to permeability and pedestrian linkages as well as the site's potential contribution either in its own right or to generating improvements to open space within the area in any future development proposals.

### Waste

- 2.20 The Inspector recommends that the text of the UDP be amended to give a commitment to an early review of strategic waste arisings and requirements, and in the meantime states that all waste management sites in the Borough should be protected. Other changes include support for mandatory waste and recycling facilities in new development, an explanation of how a deficiency in recycling facilities should be dealt with and more details on waste treatment facilities. With these changes, the Inspector considers that the policy would be in conformity with the London Plan. Members are recommend to accept the Inspector's recommendations which have been put forward as proposed modifications.

### General Conformity with the London Plan

- 2.22 The replacement UDP is required to be general conformity with the London Plan. However, it is a matter for boroughs to determine whether policies are in general conformity with the London Plan. The Council requested the Inspector to specifically address this issue where the GLA had submitted objections on these grounds. In most cases the Inspector recommended that this was the case. In the remainder modifications are proposed inline with the Inspector's recommendations so that overall the replacement UDP is in general conformity with the London Plan.

### Timetable to adoption

- 2.23 Once approved by Cabinet the Proposed Modifications will be placed on deposit in October-November for a 6 week statutorily prescribed period. The Council will then consider all objections received and decide whether it is necessary to hold a further inquiry into any of these objections. If after this the Council decides that no further changes materially affecting the content of the Plan needs to be made then the Council can give notice of its intention to adopt the Plan after 28 days. Adoption is scheduled for February 2007.

### EU Directive on Strategic Environmental Assessment (SEA)

- 2.24 The EU Directive on Strategic Environmental Assessment came into effect on 21 July 2006. This requires that all development plans not adopted by 21 July 2006 should be the subject of an SEA, subject to certain provisions.
- 2.25 Work on the replacement UDP began before Government Regulations and guidance on implementing the Directive were issued. A key feature of the SEA is that it must be carried out throughout the policy making process. It is therefore not feasible to carry this out retrospectively. There is also a need to set out a baseline report at the start of the plan making process against which policy options can be assessed. In order to comply with the newly published SEA Regulations, the replacement UDP would have had to have been abandoned at an advanced stage.

- 2.26 The replacement UDP has been subject to a sustainability appraisal in accordance with the relevant regulations that were applicable at the time. The Environmental Assessment of Plans and Programmes Regulations 2004 allow for circumstances where an SEA is not feasible, as is the case here, subject to a requirement that the Council explains the reasons for this and publicises this.
- 2.27 A report on this issue explaining the reasons in detail why an SEA of the UDP was not feasible was submitted to the Council's Executive in January 2006. The Executive endorsed that it was not feasible to carry out a SEA. Following this the Government Office for London was informed of this as well as the GLA, other statutory consultees, and everyone who had made representations on the UDP. The report to the Executive was published on the Planning Service pages of the Council's web site.

### **3. Comments from Executive Director of Finance**

- 3.1 There are no additional financial implications in this report.

### **4. Comments from Director of Legal and Democratic Services**

- 4.1 When adopted, the Replacement UDP will, together with the London Plan, become the statutory development plan for the Borough. In dealing with any application for planning permission the Council must have regard to the provisions of the Development Plan (i.e. the adopted UDP and London Plan) so far as material to the application and to any other material considerations (Section 70 of the Town and Country Planning Act 1990). In having regard to the Development Plan, the Council must make its decision in accordance with the Plan unless material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004). The weight to be given to emerging policies increases as the process progresses. The replacement UDP is now at an advanced stage and significant weight can be given to the Proposed Modifications, which are in line with proposed policies which the Inspector has supported, in deciding planning applications.
- 4.2 The Inspector's recommendations are not binding. An inquiry into objections to proposed modifications will not normally be necessary where the matters raised have already been considered at the initial inquiry, or where there are objections to the fact that modifications are not being proposed by an authority in response to an Inspector's recommendation. The Secretary of State advises authorities to hold an inquiry where objections raise matters that were not an issue at an earlier stage. This may arise if the Council proposes to alter a proposed modification significantly after considering objections.
- 4.3 The Secretary of State (GOL) has powers of direction to require the Council to modify a Plan at any time before it is adopted if it is considered that the Plan is unsatisfactory in respect of its interpretation of national or regional (London Plan) policies. He also has reserve powers to call in all or part of the plan at any time before its adoption, although this power is only used in limited circumstances.

- 4.4 It is a matter for boroughs to determine whether policies are in general conformity with the London Plan but the Mayor can request GOL to intervene on the grounds he considers that this is not the case.
- 4.5 Following publication of a notice that the Council has adopted the Plan, there is a period of six weeks where action can be potentially brought in the High Court on the grounds that it goes beyond the statutory powers or that procedures have not been complied with properly.

## **5. Results of consultation**

- 5.1 The Inspector's Report was published in March 2006 and made available on the Council's web site, in local libraries and in the Town Planning Advice Centre. Its availability was generally publicised and all those who made representations on the UDP were informed about the Report's availability.

## **6. Organisational implications**

### **6.1 Risk management:**

- 6.2 Legal advice and the informal views of GOL and the GLA have been sought in respect of the principle of introducing a new policy restricting the conversions of larger houses to flats. Any changes introduced at this stage of the process which were not the subject of consideration at an earlier stage carries the risk of the possibility of the need for a further inquiry and consequent delay in the process of UDP adoption. GLA officers have indicated that they would recommend the Mayor to object to a policy further restricting house conversions as it is considered that the existing policy is restrictive enough. If any objection is made, the Council will consider it in the light of relevant planning policy advice at national and strategic level and in accordance with the procedural requirements referred to in this report. GOL officers were non-committal, stating that it would depend on the nature of the policy but in general would prefer that such matters were addressed following adoption.
- 6.3 House conversions size threshold and the use of KIBA land and the proposal for the proposed Brixton Academy to be developed on the Shakespeare Road site (which is in a KIBA) were before the UDP Inspector at the public inquiry and covered in written submissions. The proposed modifications on these issues seek to respond to and use the comments made by the Inspector in his report in the case of house conversions and in the case of schools, address the issue raised by the Inspector of how the Building Schools for the Future and Academies Programme was to be supported by UDP policies.
- 6.4 Legal advice has confirmed that if a proposed modification introduced new matters it would be likely to result in the need for another public inquiry. This would add at least another year to the timescale for the adoption of the Replacement UDP and also involve the significant costs associated with having a public inquiry. This would delay other UDP policies having the strength associated with the status of an adopted plan and continue uncertainty of how much weight should be attached to the Replacement UDP policies in decision making on planning applications.

**6.5 Equalities impact assessment:**

Consultation on the UDP at the various stages of preparation has been extensive and has sought to be wide ranging and inclusive all parts of the Borough and all groups and organisations. An Equalities Impact Assessment will be carried out following the adoption of the replacement UDP. The Council's approach to Equality Impact Assessment will be integrated into the future programme in order to review and consider the need for changes in planning policies.

**6.6 Community safety implications:**

The UDP contains policies seeking to provide well designed development that will contribute to a safe environment.

**6.7 Environmental implications:**

The UDP is a key strategic document dealing with the impact of development on the built and natural environment.

**6.8 Staffing and accommodation implications:**

None.

**6.9 Procurement implications:**

None.

**6.7 Any other implications:**

None.

**7. Timetable for implementation**

7.1 Once approved by Cabinet the timetable for the Proposed Modifications is as follows: -

- 6 week statutory deposit of Proposed Modifications in October-November 2006.
- Consideration of objections received and decision whether further inquiry needed. December 2006 - January 2007.
- Report back and adoption of Plan in February 2007 (if no further inquiry needed).