

Lambeth Replacement Unitary Development Plan

**Summary of Representations to the Proposed
Modifications and Recommended Response
April 2007**

APPENDIX 1

Replacement Lambeth Unitary Development Plan

Summary of Representations to the Proposed Modifications and Recommended Response, April 2007

Note – all paragraph numbers mentioned below are based on those used in the 'Proposed Modifications October 2006' (Modifications Document 2) and not the revised numbering used in the Lambeth Unitary Development Plan – October 2006: Incorporating Proposed Modifications. Where relevant, paragraph numbers mentioned in representations have been changed to ensure consistency.

| Mod & Policy No. | Respondent & Rep. Ref. | Summary of Representation | Officer Comment | Recommended Response |
|------------------------------|---|--|---|--|
| MOD-T/69 Policy 17 | Government Office for London (GOL) | Although the Inspector states that it is not unreasonable to retain small-medium dwellings by preventing conversion of properties less than 120m ² , he does not suggest there is a need to consider a higher threshold to safeguard 3 and 4 bedroom houses in some areas. The change does not therefore reflect the Inspector's view and should have been considered at the inquiry. While there may be an identified shortage of 3 and 4 bedroom houses, a UDP should define the circumstances in which planning permission will or will not be granted. <i>Suggested change:</i> <i>Delete MOD-T/69.</i> | GOL have indicated that they will seek a direction from the SOS to delete the additional wording beyond what the Inspector recommended added by the Council. It is proposed to withdraw the additional wording. | Withdraw Modification – delete text of MOD-T/69. FMOD- 1 |
| MOD-T/69 Policy 17 | Streatham Vale Property Occupiers Association | Concerned at the use of the word "higher" in the section on Minimum Size (Part A) as this is imprecise and will give developers too much scope. | It is now proposed to withdraw MOD-T/69 (see response to GOL above), in which case this representation will no longer be relevant. | Withdraw Modification – delete text of MOD-T/69. FMOD- 1 |
| MOD-T/69 Policy 17 | The Haywoods Group | In Policy 17 the 120m ² threshold is already too restrictive and to increase this further will render many houses unsuitable for conversion. This conflicts with Government policy. Request a further inquiry if the modification is adopted. | See response to GOL on MOD-T/69 above. | Withdraw Modification – delete text of MOD-T/69. FMOD- 1 |
| MOD-T/71 | Streatham Vale | Concerned at the use of the word "appropriate" in the section on | This matter was considered by the | No Change |

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| Policy 17 | Property Occupiers Association | Quality of Flat Conversions (D)(vi) as this is imprecise and will give developers too much scope. | <p>UDP Inspector and the proposed modification is expressed as recommended by the Inspector following his consideration of the issues.</p> <p>However in line with best practice and advice in PPS12, the Council will be preparing various Supplementary Planning Documents providing further detail on the interpretation and application of policies following the adoption of the Replacement UDP. Amongst these will be an SPD on residential development, which will deal with the different aspects of the house conversions policy and will provide clear guidance on the issues raised, including appropriate room sizes. Such matters are more appropriate to be addressed by SPDs as they can be more readily updated in response to changing circumstances and availability of information. They are also subject to public consultation and sustainability appraisal.</p> | |
| MOD-T/72 Policy 17, New para before 4.10.23a | Government Office for London | Although the Inspector states that it is not unreasonable to retain small-medium dwellings by preventing conversion of properties less than 120m ² , he does not suggest there is a need to consider a higher threshold to safeguard 3 and 4 bedroom houses in some areas. The change does not therefore reflect the Inspector's view and should have been considered at the inquiry. While there may be an identified shortage of 3 and 4 bedroom houses, a UDP should define the circumstances in which planning permission will or will not be granted. | See reply to GOL on MOD-T/69 above. | <p>Withdraw Modification – delete text of MOD-T/72.</p> <p>FMOD- 2</p> |

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| | | <i>Suggested change: Delete MOD-T/72.</i> | | |
| MOD-T/72 Policy 17, New para before 4.10.23a | Streatham Vale Property Occupiers Association | Welcome the strengthened wording of text in the new paragraph inserted before 4.10.23a. | The support is noted. However it is now proposed to withdraw the modification for the reasons set out in the response to GOL for MOD-T/69. | Withdraw Modification – delete text of MOD-T/72. FMOD- 2 |
| MOD-T/72 New para before 4.10.32a | The Haywoods Group | In Policy 17 the 120m2 threshold is already too restrictive and to increase this further will render many houses unsuitable for conversion. This conflicts with Government policy. Request a further inquiry if the modification is adopted. | See reply to GOL on MOD-T/69 above. | Withdraw Modification – delete text of MOD-T/72. FMOD- 2 |
| MOD-T/73 Policy 17, 4.10.23b | Streatham Vale Property Occupiers Association | Concerned at the use of the word "appropriate" in Para 4.10.23b as this is imprecise and will give developers too much scope. | This matter was considered by the UDP Inspector and the proposed modification is expressed as recommended by the Inspector following his consideration of the issues. However in line with best practice and advice in PPS12, the Council will be preparing various Supplementary Planning Documents providing further detail on the interpretation and application of policies following the adoption of the Replacement UDP. Amongst these will be an SPD on residential development, which will deal with the different aspects of the house conversions policy and will provide clear guidance on the issues raised, including appropriate room sizes. Such | No Change |

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| | | | <p>matters are more appropriate to be addressed by SPDs as they can be more readily updated in response to changing circumstances and availability of information. They are also subject to public consultation and sustainability appraisal.</p> | |
| <p>MOD-T/91 Policy 26</p> | <p>Metropolitan Police Authority</p> | <p>The MPA welcome the principle of protecting community facilities in Policy 26 (C). Police facilities provide a community service and could fall under this policy. Criterion C should make it clear that where a former community use is relocated there should be no requirement imposed on the subsequent developer to make a further community-related contribution. The addition of part ii of criterion C results in an unnecessary and onerous test in circumstances where a community facility has been provided elsewhere. If part i has been fulfilled then the further test in part ii is unnecessary. <i>Suggested change:</i> <i>Replace the word "and" with "or" at the end of part i of Policy 26, Criterion C</i></p> | <p>This matter was considered by the UDP Inspector and the proposed modification is expressed as recommended by the Inspector following his consideration of the issues.</p> | <p>No Change</p> |
| <p>MOD-T/93 Policy 26</p> | <p>Brixton Triangle Neighbourhood Association</p> | <p>Proposed modification to Policy 26(D) is not robust enough to deal with stresses upon services and facilities caused by population increases, given the diminishing availability of sites, and restriction against designation of sites unless there is an existing business plan for the creation of such facilities <i>Suggested change:</i> <i>Policy 26 (D): "...contributions towards existing facilities will be required <u>and will be ring-fenced for the area. If the creation of new facilities is deemed to be necessary, then active measures should be taken to designate suitable sites for them within the neighbourhood. Priority will be..."</u></i></p> | <p>This matter was considered by the UDP Inspector and the proposed modification is expressed as recommended by the Inspector following his consideration of the issues.</p> | <p>No Change</p> |
| <p>MOD-T/95 Policy 26 Para 4.13.6</p> | <p>Brixton Triangle Neighbourhood Association</p> | <p>In para 4.13.6, a statement that Lambeth makes good provision of primary schools is not borne out by the experiences of residents as they are told to look outside the borough for school places. Lambeth's "Expansion of Primary School places 2006-15" shows</p> | <p>This matter was considered by the UDP Inspector and the proposed modification is expressed as recommended by the Inspector</p> | <p>No Change</p> |

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| | | <p>projected shortfalls in some areas is imminent. An overall shortfall is expected by 2008.</p> <p><i>Suggested change:</i> <i>"Lambeth expects an increase in numbers of primary school age children over and above its present capacity to provide school places, with the urgency of impending shortfalls varying across the borough. The situation is most urgent in Brixton, where an overall shortfall is expected as soon as 2008. Consultation will be carried out in order to identify areas of most pressing need and measures will be taken to prevent imminent shortfalls, in recognition of the hardship posed to small children and their carers of travelling significant distances."</i></p> | <p>following his consideration of the issues.</p> | |
| <p>MOD-T/102a Policy 30</p> | <p>Anne Critchley</p> | <p>In relation to the Hungerford Car Park:</p> <ul style="list-style-type: none"> • Lack of open space locally and by the river. • Open space is required in order to appreciate the river in its setting. • Open space is required for mental & physical wellbeing • Open space is required as a flood plain. • There has been a lot of new building (South Bank Centre) and more building will add to climate change and has nothing to do with the arts. | <p>This matter was considered by the UDP Inspector and the proposed modification is expressed as recommended by the Inspector following his consideration of the issues.</p> | <p>No Change</p> |
| <p>MOD-T/102a Policy 30</p> | <p>Friends of Jubilee Gardens</p> | <p>Commercial development on the existing South Bank Centre sites would take away the possibility of arts uses. SBC have declared their ambition to build an arts complex on the Hungerford Car Park site (designated as MOL) and the loss of arts sites to commerce would help them press for this, as it would be the only site available. As Council policy is to encourage the arts this creates conflict.</p> <p><i>Suggested change:</i> <i>The modification should be deleted and the previous wording reinstated.</i></p> | <p>This matter was considered by the UDP Inspector and the proposed modification is expressed as recommended by the Inspector following his consideration of the issues.</p> | <p>No Change</p> |
| <p>MOD-T/102a Policy 30</p> | <p>Margaret Mellor</p> | <p>For 30 years the Waterloo residential community has been campaigning for the Hungerford Car Park to be designated and implemented as public open space. Designation as MOL was a</p> | <p>This matter was considered by the UDP Inspector and the proposed modification is expressed as</p> | <p>No Change</p> |

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| | | great achievement and should be retained at all cost. The Waterloo area has a significant shortage of useful public open space and openness. This site is needed to counter-balance the over-development planned for Stamford Street, Waterloo Station, Doon Street and elsewhere in Waterloo. | recommended by the Inspector following his consideration of the issues. | |
| MOD-T/102a Policy 30 | Marilyn Evers | Hungerford Car Park is designated as MOL and there is no reason to remove this designation. Commercial development will undermine the primary character and function of the SBC as an arts and cultural quarter. It will not be possible to ensure that the proceeds of "facilitating development" is applied exclusively to support the arts and education centre. Jubilee Gardens must be extended across the whole of the site up to Hungerford Bridge. There is a lack of open space in Lambeth, particularly Waterloo, and further development will damage the character of the area. | This matter was considered by the UDP Inspector and the proposed modification is expressed as recommended by the Inspector following his consideration of the issues. | No Change |
| MOD-T/102a Policy 30 | Susan Weir | Objects to the removal of the Podium site as open space. Loss of Open Space will affect local residents, visitors health / Wall to wall buildings along the river architecturally inappropriate <i>Suggested change:</i> <i>Maintain the Podium site as Open Space along with Jubilee Gardens / No buildings over 2 storeys in height</i> | This matter was considered by the UDP Inspector and the proposed modification is expressed as recommended by the Inspector following his consideration of the issues. | No Change |
| MOD-T/122 Policy 37 | Greater London Authority | Supports the more supportive policy towards high buildings | None | No Change – support noted |
| MOD-T/123 Policy 37 | Greater London Authority | Supports the more supportive policy towards high buildings | None | No Change – support noted |
| MOD-T/124 Policy 37 | Greater London Authority | Supports the more supportive policy towards high buildings | None | No Change – support noted |
| MOD-T/125 Policy 37 | Greater London Authority | Supports the more supportive policy towards high buildings | None | No Change – support noted |
| MOD-T/126 Policy 37 | Greater London Authority | Supports the more supportive policy towards high buildings | None | No Change – support noted |
| MOD-T/127 Policy 37 | Greater London Authority | Supports the more supportive policy towards high buildings | None | No Change – support noted |
| MOD-T/128 Policy 37 | Greater London Authority | Supports the more supportive policy towards high buildings | None | No Change – support noted |
| MOD-T/129 | Greater London | Supports the more supportive policy towards high buildings | None | No Change – support |

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| Policy 37 | Authority | | | noted |
| MOD-T/129 Policy 37 Para 4.15.33a | P & O Estates | <p>Proposed modification to Para 4.15.33a does not reflect the Inspector's objectives or recommended modifications to the text when he suggests that the emerging framework for the Opportunity Area will form the first stage of work and the status of these studies be confirmed as SPDs. Here the Inspector is referring to the WDF and it should be this study, which forms the basis of the Council's future work. The amended text makes no reference to the WDF informing the Council's study, suggests the Council's study will pre-empt the SPD and does not specifically identify the WDF as the SPD.</p> <p><i>Suggested change:</i> <u>4.15.33a "...The Council intends to carry out further work in accordance with English Heritage and CABE 'Guidance on Tall Buildings' and the Waterloo Development Framework to assess if there are areas in the Borough that can be specifically identified as appropriate for high buildings. The guidance contained in the WDF, when adopted as SPD to the London Plan and the conclusion of the Council's Study, will inform the preparation of SPDs and AAPs for Waterloo."</u></p> | The wording of Policy 37 and its reasoned justification was considered by the UDP Inspector and the proposed modification is expressed as recommended by the Inspector following his consideration of the issues. | No Change |
| MOD-T/153 Policy 44 | Greater London Authority | Supports MOL designation for Hungerford Car Park but also the fact that the modification reflects the Mayor's aspirations for the South Bank and states that these will be explored through the Waterloo AAP. | None | No Change – support noted |
| MOD-T/154 Policy 45 | Clapham Common Management Advisory Committee (MOD/06-3) | <p>Modifications indicate that planning control on commons should be considered first, however building on commons is unlawful unless there is specific legislation to the contrary, so planning permission cannot be given.</p> <p><i>Suggested change:</i> <i>In the second sentence of Part B insert: "except where there is specific legislation to the contrary"</i></p> | The UDP contains land use planning policies. It is not a document that incorporates non-planning legislation. The term "where these are subject to planning control" is acknowledging that not all control stems from planning legislation and the UDP. It is considered superfluous to insert the suggested text. | No Change |
| MOD-T/154 Policy 45 | Clapham Common | There is an error in the second sentence of Part B where "commons land" should read "common land" | Accepted. Change will be made. | Non Material Change – in the second sentence |

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| | Management Advisory Committee | <i>Suggested change: In the second sentence of Part B "commons land" should read "common land"</i> | | of Part B remove "commons land" and replace with "common land." FMOD - 5 |
| MOD-T/154 Policy 45 | Clapham Society | Incorrect / misleading statement in regard to building on common land. The proposed change implies that the whole of Clapham Common, for example, is subject to planning control. Under common law any building or development is unlawful on common land, unless there is contrary legislation. To imply that any development proposal on a common should be considered as part of the planning process in the first instance is wrong. <i>Suggested change: Delete the words "Where these buildings are subject to Planning Control" and replace with "Buildings, paving extensions and enclosures will not be permitted on common land.....except where there is specific legislation to the contrary."</i> | The UDP contains land use planning policies. It is not a document that incorporates non-planning legislation. The term "where these are subject to planning control" is acknowledging that not all control stems from planning legislation and the UDP. | No change |
| MOD-T/154 Policy 45 | Clapham Society | There is an error in the second sentence of Part B where "commons land" should read "common land" <i>Suggested change: In the second sentence of Part B "commons land" should read "common land"</i> | Accepted. Change will be made. | Non Material Change – in the second sentence of Part B remove "commons land" and replace with "common land." FMOD - 5 |
| MOD-T/174, Policy 49 | Mobile Operators Association | Support the amendment to policy 49 Part (A)(iii) to replace CSOs with ECCOs in accordance with the Inspector's recommendations. | None | No Change – support noted. |
| MOD-T/176 Policy 49 Para 4.22.2 | Mobile Operators Association | Support the amendment to para 4.22.2 to replace CSOs with ECCOs in accordance with the Inspector's recommendations. | None | No Change – support noted. |
| MOD-T/177 Policy 49 Para 4.22.3 | Mobile Operators Association | Support the amendment to para 4.22.3 to replace CSOs with ECCOs in accordance with the Inspector's recommendations. | None | No Change – support noted. |

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| <p>MOD-T/185 Policy 50 Para 4.23.6</p> | <p>Government Office for London</p> | <p>Agree with the Inspector's conclusions that a more cautious approach should be taken to safeguarding existing waste management sites, but does not agree with the recommendation to include the safeguarding requirement in the supporting text, as this should not contain material which itself will be used to make decisions on planning applications. This will not enable Council to refuse an application for change of use of a waste site. Suggested change: <i>Amend Part A of Policy 50 to include the following: "The Council will safeguard all existing waste management sites, whether publicly or privately operated, unless appropriate compensatory provision is made."</i></p> | <p>Although the Inspector recommended that the safeguarding requirement be included in the reasoned justification, the Council is willing to move this requirement to the policy itself. This will satisfy objections to the proposed modification and ensure that the Council's approach is regarded by GOL as being in line with national and regional (London Plan) policy.</p> <p>To clarify the location of waste sites in the Borough the Council also intends to list these in the reasoned justification to the policy.</p> | <p>Further Modification – relocate MOD-T/185 from new paragraph 4.23.6 to Policy 50, following subsection B, such that it reads:</p> <p>“(B1) Safeguarding Waste Management Sites Pending the completion of the Mayor's evaluation of the adequacy of existing waste management and disposal facilities to meet London's future needs, the Council will safeguard all existing waste management sites, unless appropriate compensatory provision is made. If, following the evaluation, it is found necessary to identify new sites for new facilities or, to include a statement of total waste arisings, then the Council will undertake a review of these topics through the local development framework.”</p> <p>FMOD- 6/7</p> <p>Further Modification - For clarification purposes</p> |

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| | | | | <p>add the following to the end of the reasoned justification to Policy 50:</p> <p>“In total there are 6 sites in the Borough currently in waste management use:</p> <ul style="list-style-type: none"> • 4-16 Belinda Road • Shakespeare Wharf, Shakespeare Road; • 26 Wanless Road; • 44 Clapham Common Southside; • Vale Street Depot; • Wandsworth Road.” <p>FMOD – 8</p> |
| <p>MOD-T/185 Policy 50</p> | <p>Greater London Authority</p> | <p>The commitment to safeguard waste sites being made in text rather than policy is consistent with Inspector's recommendation, but this is contrary to the London Plan and an objection is sustained on this issue. <i>Suggested change:</i> <i>Safeguarding of waste management sites should be contained within a UDP policy.</i></p> | <p>Although the Inspector recommended that the safeguarding requirement be included in the reasoned justification, the Council is willing to move this requirement to the policy itself. This will satisfy objections to the proposed modification and ensure that the Council's approach is regarded by GLA as being in line with national and regional (London Plan) policy.</p> | <p>Further Modification – relocate MOD-T/185 from new paragraph 4.23.6 to Policy 50, following subsection B, such that it reads:</p> <p>“(B1) Safeguarding Waste Management Sites Pending the completion of the Mayor's evaluation of the adequacy of existing waste management and disposal facilities to meet</p> |

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| | | | | <p>London's future needs, the Council will safeguard all existing waste management sites, unless appropriate compensatory provision is made. If, following the evaluation, it is found necessary to identify new sites for new facilities or, to include a statement of total waste arisings, then the Council will undertake a review of these topics through the local development framework."</p> <p>FMOD- 6/7</p> |
| MOD-T/190 Policy 51 | Motcomb Estates | <p>The Inspector recommends at Para 5.9 that Policy 51 be amended by inserting a new paragraph (E) "Opportunities" which specifically recognises the potential for an Opportunity Area at Albert Embankment. The modification does not reflect the Inspector's recommendation.</p> <p><i>Suggested change:</i> <i>Policy 51 should be amended to fully reflect the Inspector's recommendation and recognise the opportunities presented by the Albert Embankment area.</i></p> | <p>Although the modification does not reflect the Inspector's recommendation the Council has explained that this is because the London Plan does not recognize Albert Embankment as an Opportunity Area and that it is better placed in the form of additional supporting text to the Policy.</p> | No Change |
| MOD-T/191 MDO5 | London Fire and Emergency Authority | <p>The Fire Authority is seeking to move HQ from the MDO5 site and redevelop, but retain a fire station. A statement of planning principles has been prepared following discussion with Lambeth officers to guide development proposals. Within this document the principle of new build extensions to the side and rear of the frontage building has been agreed. The proposed deletion of text regarding such extensions is not supported as it removes an</p> | <p>This matter was considered by the UDP Inspector and the proposed modification is expressed as recommended by the Inspector following his consideration of the issues.</p> | No Change |

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| | | <p>element of potential development from the site. MDO5 should provide a level of certainty in relation to potential development that may be achieved.</p> <p><i>Suggested change:</i> <i>In order to address concerns that the inclusion of this text could prejudice decision relating to the scale and quantum of development, the word "significant" could be removed. This would eliminate an assumption of scale while providing certainty for redevelopment proposals and acknowledgement of the potential to deliver alternative development and associated benefits to the frontage building site: "Redevelopment of 1970s control room to rear is encouraged with potential for new build/extensions to side and rear of original frontage building."</i></p> | | |
| <p>MOD-T/215 MDO61</p> | <p>Workspace Glebe Limited</p> | <p>Objects to removal of the MDO from the Park Hall estate. There is a need to regenerate the estate to provide high quality premises for SMEs. Buildings on-site are out-date, inefficient, do not meet the needs of small business and are coming to the end of their natural life. The Inspector's recommendation is more restrictive than the Council's initial view to include the area as an MDO. The Atkins Study appraisal of the area describing buildings as "good and fair" was a broad brush assessment looking at external building fabric only. It is increasingly hard to let the accommodation and the site's operation is unlikely to be viable in the long term. Refurbishment is also not viable and would not address long term issues with the site. Therefore a comprehensive redevelopment is necessary involving phased demolition of buildings and their replacement with modern business spaces and other uses to cross-subsidise the scheme. This would have benefits for Lambeth and the wider area. Removal of the MDO will preclude regeneration.</p> <p><i>Suggested change:</i> <i>Future policy should support redevelopment and allow for the introduction of a mix of uses which does not compromise the employment/business use of the majority of the site. Policy should be sufficiently flexible to enable the maximum amount of employment floorspace to be provided, but having regard to overall viability. New policy for Park Hall estate should</i></p> | <p>This matter was considered by the UDP Inspector and the proposed modification is expressed as recommended by the Inspector following his consideration of the issues.</p> | <p>No Change</p> |

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| | | <ul style="list-style-type: none"> - support the principle of redevelopment, potentially via designation as a development site; - positively encourage enabling development to stimulate redevelopment; - encourage high density development which makes best use of the site's sustainable location. | | |
| MOD-T/223 Policy 65 | Greater London Authority | Supports changes to Vauxhall policy (Policy 65) to include London Plan objectives and targets and promoting joint working to produce an AAP. | None | No Change – support noted |
| MOD-T/243 Policy 73 | Metropolitan Police Authority | <p>Support incorporation of GLA Waterloo Development Framework requirements to Policy 73. Due to various issues the MPA have reviewed the delivery of operational facilities and are keen to ensure that policing needs are taken into account in the planning of new development. Future operational requirements in the Waterloo area will depend on the scale of development, however as a general observation it is necessary to incorporate a reference to the impact of policing of significant development proposals.</p> <p><i>Suggested change:</i> <i>In Policy 73, add an additional criterion (f) stating that -</i> <i>Development proposals should: depending on its scale and nature, adequately mitigate any increased pressure upon policing and, in consultation with the Metropolitan Police Authority, include provision for policing.</i></p> | The wording of Policy 73 was considered by the UDP Inspector and the proposed modification is expressed as recommended by the Inspector following his consideration of the issues. | No Change |
| MOD-T/245 Policy 73 Para 5.16.1 | Kennington Association | <p>Lambeth Palace is not within the WDF area</p> <p><i>Suggested change:</i> <i>As Lambeth Palace is not within the WDF area it should be removed from the list in paragraph 5.16.1</i></p> | Although Paragraph 5.16.1 is about Waterloo rather than the Waterloo Development Framework area, it is contained under Policy 73, which is specifically about the Waterloo Development Framework. To avoid any confusion it is considered that the Lambeth Palace reference should be deleted. | <p>Non Material Change – delete “Lambeth Palace” from 5.16.1.</p> <p>FMOD - 9</p> |
| MOD-T/249 Policy 73 Para 5.16.4 | Kennington Association | Concern with statements associated with the Waterloo Development Framework and the lack of formal commitment to consult with residents outside the WDF area. | This matter was considered by the UDP Inspector and the proposed modification is expressed as | No Change |

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| | | <p><i>Suggested change:</i> Alteration to paragraph 5.16.4 from, "The Council in partnership with....all major stakeholders and the local community will prepare a Waterloo Development Framework " to " The Councilstakeholders, local residents and other North Lambeth communities affected by proposed changes".</p> | recommended by the Inspector following his consideration of the issues. | |
| MOD-T/258a Policy 80 | Waterloo Community Development Group | See summary for MOD-T/262 below | This matter was considered by the UDP Inspector and the proposed modification is expressed as recommended by the Inspector following his consideration of the issues. | No Change |
| MOD-T/258b Policy 80 | Waterloo Community Development Group | See summary for MOD-T/262 below | This matter was considered by the UDP Inspector and the proposed modification is expressed as recommended by the Inspector following his consideration of the issues. | No Change |
| MOD-T/262 MDO115 | Friends of Jubilee Gardens | <p>Shell Podium site: The site fulfils the criteria for open space in PPG17. The site is in Lambeth's Open Space Strategy (2005) as open space and this strategy predicts there will be a serious deficiency in open space in this area. It provides pleasure and amenity as open space and as a break in the built environment in one of the most visited parts of London. De-designation also undermines the case for Shell to have to pay compensation for loss of open space in any future development.</p> <p><i>Suggested change:</i> Reinstate the previous wording.</p> | This matter was considered by the UDP Inspector and the proposed modification is expressed as recommended by the Inspector following his consideration of the issues. | No Change |
| MOD-T/262 MDO115 | Waterloo Community Development Group | <p>Object to the deletion of the Shell Podium site as open space and the deletion of various references to the value of the openness of this site.</p> <ul style="list-style-type: none"> The purpose of an MDO is to set out what the Council is proposing for a site and therefore does not prevent an existing planning permission being implemented or the MDO being a | This matter was considered by the UDP Inspector and the proposed modification is expressed as recommended by the Inspector following his consideration of the issues. | No Change |

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| | | <p>material consideration for future schemes.</p> <ul style="list-style-type: none"> • The site has been acknowledged by the Secretary of State as open space of public value. • The decision to permit the development relied heavily upon tables in the 1998 UDP which have been superseded by the Lambeth Open Space Strategy which identifies additional open space, the protection of which would be weakened if the Inspector's reasoning applied. The 2004 Inspector also did not apply the visitor/worker numbers to properly calculate open space demand in the area. The UDP Inspector has recognised the validity of this argument for Hungerford Car Park, but not the Podium. • The Inspector's rationale that the non-development of this site is an unlikely scenario, therefore there is no point in retaining the open space designation, is incorrect. Shell is already moving away from the permitted scheme. It has terminated its partnership with Lend Lease whose speculative commercial development drove the permitted scheme, which reflects the lack of financial viability. Also the scheme was developed prior to current policy and does not maximise opportunities which the site offers, including the Waterloo 'cluster of tall buildings' concept. A new scheme could see massing in a different part of the site, leaving the podium undeveloped. The 2004 permission is a poor fall-back position. • A more radical redevelopment is proposed which requires clear guidance through the UDP, including aspirations for open space on this site. The 2004 permission is relevant but not in itself sufficient. Future proposals need to be assessed against what currently exists (its open aspect) and all relevant UDP policies. The list of policies to consider (MOD-T/262a) in the event of the existing permission lapsing does not include Policy 45 - Open Space. • Openness is a significant feature of the site and was recognised in 2004 with a £1m compensation contribution to improvements to Jubilee Gardens. The growth in tourists continues and shows the desperate need for open space and visual/pedestrian links between Waterloo and South Bank. | | |

| Mod & Policy No. | Respondent & Rep. Ref. | Summary of Representation | Officer Comment | Recommended Response |
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| | | <ul style="list-style-type: none"> • The proposed Modifications imply that redevelopment should not consider open space issues, which is inappropriate given the Secretary of State's view about the value of the open space. • Would welcome a holistic approach to regenerating the whole site. This can help provide open space and generate improvements to open space in the wider area to compensate for a loss of open space - if this is recognised through designation. Any loss of this open space would unlikely to be appropriately compensated in light of these Modifications. • The proposed Modifications do not provide a sufficient policy structure. By relying on the out-dated 2004 permitted proposals and by deleting the podium site as open space, the clear implication is that the open aspect of this site does not need to be retained and an impermeable block along the site is acceptable. • PPG17 tells local authorities to audit open spaces in their area in order to guide policy development. Lambeth's Open Spaces Strategy which includes the podium site was adopted after the 2004 permission. To designate all open spaces identified in this document would be following PPG17 guidance fully. <p><i>Suggested change: The proposals map should retain the Podium site as open space. Modifications initially proposed by officers as set out in the original Cabinet papers for 18 September 2006 should be adopted.</i></p> | | |
| MOD-T/262 MDO115 | E. Broadbridge | In relation to the Shell Podium: <ul style="list-style-type: none"> • Density of the population since the introduction of the London Eye is too high. • Lack of Open Space near Waterloo Road, York Road & Leake Street, which are already highly polluted areas due to traffic. • The site fulfils criteria in PPG17 as to what constitutes open space. • The site is identified in the Open Space Strategy which predicts that the area will become more deficient in open space as development occurs • It provides pleasure and amenity as open space and a break in | This matter was considered by the UDP Inspector and the proposed modification is expressed as recommended by the Inspector following his consideration of the issues. | No Change |

| Mod & Policy No. | Respondent & Rep. Ref. | Summary of Representation | Officer Comment | Recommended Response |
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| | | <p>the built environment</p> <ul style="list-style-type: none"> Right of Way for pedestrians. <p><i>Suggested change:</i> <i>No Building on the Podium Site. Do not remove the open space designation on the Proposals Map or references to open space in the MDO.</i></p> | | |
| MOD-T/262 MDO115 | Nicola Brooker | <p>Object to removal of Shell Podium as open space. The space fulfils criteria in PPG17 as to what constitutes open space, and is identified in Lambeth's open space strategy, which also projects that this area will become short of open spaces as proposed development occurs.</p> <p><i>Suggested change:</i> <i>Shell Podium should continue to be designated as open space</i></p> | This matter was considered by the UDP Inspector and the proposed modification is expressed as recommended by the Inspector following his consideration of the issues. | No Change |
| MOD-T/262a MDO115 | Waterloo Community Development Group | See above summary for MOD-T/262 | This matter was considered by the UDP Inspector and the proposed modification is expressed as recommended by the Inspector following his consideration of the issues. | No Change |
| MOD-T/264 MDO116 | South Bank Centre | <p>1. Object to introduction of the term "unity of scale" as this is unnecessary for the same reasons as the Inspector rejected previous wording about unity of overall form as other policies and requirements ensure that scale must be considered.</p> <p>2. Object to inclusion of the term "listed or unlisted". This appears to be a mistake as the Council previously accepted that this wording be removed in its Further Changes and this was upheld by the Inspector.</p> <p><i>Suggested change:</i> <i>MDO116 (c):</i> <i>"the protection of the listed buildings and their settings (Royal Festival Hall - Grade 1, and National Theatre and Waterloo Bridge - Grade II*) and enhancement of the South Bank Conservation Area and the South Bank Complex as an architectural group.</i> <i>Retaining the overall function and aesthetic success of the</i></p> | <p>1. In the light of the objection the Council has reviewed the Inspector's recommendations and accepts that this qualification as contained in the Proposed Modifications is not necessary as there is adequate provision to assess any future proposals as indicated by the Inspector.</p> <p>2. This is a mistake and the words "listed or unlisted" should have been omitted from</p> | <p>Withdraw Modification – amend sub-paragraph (c of MDO 116 to read: - “..as an architectural group. Retaining the overall function and aesthetic success of the complex.”</p> <p>FMOD- 11</p> <p>Withdraw Modification – amend sub paragraph (c of MDO 116 to read</p> |

| Mod & Policy No. | Respondent & Rep. Ref. | Summary of Representation | Officer Comment | Recommended Response |
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| | | <i>complex. Any replacement buildings should be of outstanding architectural quality - with the opportunity to create a public viewing gallery towards St Paul's. Creation of new public spaces and better links to Golden Jubilee Bridges;"</i> | the text. This is now being corrected by using the wording recommended by the Inspector in his report. | "Any replacement buildings should be of outstanding architectural quality...." FMOD- 12 |
| MOD-T/266 MDO121 | Guy's and St Thomas' Charity | Proposed wording for MDO121 fails to reflect Inspector's recommendation that the policy should be flexible enough to allow for comprehensive redevelopment which protects the Conservation Area without the need to retain The Holy Trinity Centre and 10 Royal Street. There has been no change in circumstances to warrant taking an approach different to that recommended by the Inspector. A full urban design analysis has not been undertaken by Council and a proposal before Council has been identified by English Heritage as being one where the demolition of The Holy Trinity Centre and 10 Royal Street can be fully justified in terms of PPG15. <i>Suggested change: Amend the first paragraph of MDO121 to read: Comprehensive redevelopment of whole site, retaining and fronting on to Royal Street. Proposals should seek to retain The Holy Trinity Centre and 10 Royal Street since the Council's initial assessment is that the buildings make a positive contribution to the conservation area.</i> | The Council's proposed modification has been reviewed in the light of the objection and has been withdrawn for the reasons set out in the Inspector's Report to accord with his recommendation. | Withdraw Modification – amend the first paragraph of MDO121 to read: "Comprehensive development of whole site, retaining and fronting on to Royal Street. Proposals should seek to retain The Holy Trinity Centre and No. 10 Royal Street since the Council's initial assessment is that the buildings make a positive contribution to the conservation area." FMOD- 13 |
| MOD-T/266 Policy 66 | Streatham Vale Property Occupiers Association | In Policy 66 proposals to remove clutter are welcomed. | None | No Change – support noted |
| MOD-T/269 MDO127 & MDO128 | ITV plc/Coal Pension Properties | The modification to MDO127 does not reflect the Inspector's recommendation (Para 5.535 regarding reference to No.58 Upper Ground and its retention. The Inspector makes similar comments in respect of MDO121 and states that it would be too inflexible to pre-empt the detailed appraisal of the conservation area that the Council has yet to carry out. | The Council's proposed modification has been reviewed in the light of the objection and has been withdrawn for the reasons set out in the Inspector's Report to accord with his recommendation. | Withdraw Modification - delete "Retention of historic frontage building at 58 Upper Ground." |

| Mod & Policy No. | Respondent & Rep. Ref. | Summary of Representation | Officer Comment | Recommended Response |
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| | | <p><i>Suggested change:</i> Reference to "Retention of historic frontage building at 58 Upper Ground" should be removed as the Council has not yet carried out its conservation area appraisal making the reference inflexible and unnecessary.</p> | | FMOD - 14 |
| MOD-PM/25 Proposals Map | Anne Critchley | <p>In relation to the Shell Podium:</p> <ul style="list-style-type: none"> • Lack of open space locally and by the river. • Open space is required in order to appreciate the river in its setting. • Open space is required for mental & physical wellbeing • Open space is required as a flood plain. • There has been a lot of new building (South Bank Centre) and more building will add to climate change and has nothing to do with the arts. | This matter was considered by the UDP Inspector and the proposed modification is expressed as recommended by the Inspector following his consideration of the issues. | No Change |
| MOD-PM/25 Proposals Map | E. Broadbridge | <p>In relation to the Shell Podium:</p> <ul style="list-style-type: none"> • Density of the population since the introduction of the London Eye is too high. • Lack of Open Space near Waterloo Road, York Road & Leake Street, which are already highly polluted areas due to traffic. • The site fulfils criteria in PPG17 as to what constitutes open space. • The site is identified in the Open Space Strategy which predicts that the area will become more deficient in open space as development occurs • It provides pleasure and amenity as open space and a break in the built environment • Right of Way for pedestrians. <p><i>Suggested change:</i> No Building on the Podium Site. Do not remove the open space designation on the Proposals Map or references to open space in the MDO.</p> | This matter was considered by the UDP Inspector and the proposed modification is expressed as recommended by the Inspector following his consideration of the issues. | No Change |
| MOD-PM/25 | Friends of | See above summary for MOD-T/262 | This matter was considered by the | No Change |

| Mod & Policy No. | Respondent & Rep. Ref. | Summary of Representation | Officer Comment | Recommended Response |
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| Proposals Map | Jubilee Gardens | | UDP Inspector and the proposed modification is expressed as recommended by the Inspector following his consideration of the issues. | |
| MOD-PM/25 Proposals Map | Margaret Mellor | Shell Podium Site: 1. The site fulfils criteria in PPG17 about what constitutes open space. 2. It is identified as open space in Lambeth's Open Space Strategy. 3. It provides a rare break in the built environment of York Road and Stamford Street 4. It provides pleasure as open space, looking towards the Millennium Wheel and River 5. It provides amenity as open space in an area that is deprived of open space. | This matter was considered by the UDP Inspector and the proposed modification is expressed as recommended by the Inspector following his consideration of the issues. | No Change |
| MOD-PM/25 Proposals Map | Nicola Brooker | Object to removal of Shell Podium as open space from the Proposals Map. The space fulfils criteria in PPG17as to what constitutes open space, and is identified in Lambeth's open space strategy, which also projects that this area will become short of open spaces as proposed development occurs. <i>Suggested change:</i> <i>Shell Podium should continue to be designated as open space</i> | This matter was considered by the UDP Inspector and the proposed modification is expressed as recommended by the Inspector following his consideration of the issues. | No Change |
| MOD-PM/25 Proposals Map | Waterloo Community Development Group | See above summary for MOD-T/262 | This matter was considered by the UDP Inspector and the proposed modification is expressed as recommended by the Inspector following his consideration of the issues. | No Change |
| Representations which were not duly made but which will be considered | | | | |
| Policy 32 | Greater London Authority | The UDP should include a reference to London Plan Policy 3A.4 which says that UDP policies should seek to ensure that all new housing is built to lifetime home standards and a proportion of new housing is accessible or adaptable for wheelchair users. It should also refer to the requirement to provide Design and Access Statements with planning applications. | As this is an important issue it is considered that it would be helpful to add a cross reference to the London Plan as sought by the Mayor | Further Modification – add footnote on the page containing Policy 32: “Lifetime Homes and Wheelchair Accessible |

| Mod & Policy No. | Respondent & Rep. Ref. | Summary of Representation | Officer Comment | Recommended Response |
|------------------|--------------------------|---|---|--|
| | | | | <p>Housing - Policy 3A.4 of the London Plan seeks to ensure that all new housing is built to 'Lifetime Homes' standards and that 10% of new housing is designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users. This policy will be applied to developments of any scale. The requirements for planning applications to be accompanied by design and access statements should ensure that these aspects are fully addressed,"</p> <p>FMOD- 3</p> |
| MDO113 | Greater London Authority | Reference to Cross River Transit should be amended to Cross River Tram in part (d) of MDO113. | This is a matter of fact and should be corrected. It is noted that this will require changes to more than just MDO113 as there are references throughout the UDP. | <p>Non Material Change – replace all references to “Cross River Transit” with “Cross River Tram”.</p> <p>FMOD - 10</p> |

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