

Lambeth Green Group Councillors

Main Modifications to the Draft Revised Lambeth Local Plan 2020

Introductory context

This follows the Inspector's response, the schedule of modifications and the accompanying sustainability appraisal.

The Green Group respects the work of Planning Officers, and Catherine Carpenter's team in particular, in a long debate to finalise the Lambeth Plan for which continuity and history are invaluable. We recognise the role of Planning in negotiating the right fit for Lambeth in terms of developments.

The Lambeth's Local Plan is a live ongoing reference responsible for the impact on generations of Lambeth residents. It applies planning principles equally to structures as diverse as Lambeth Palace, with its 800 year old Tudor elements, Hollamby's 1952 Stockwell Bus Garage and The Department Store in Brixton by Squires & Partners in 2019.

The urgent need for affordable homes and workspace is an agreed priority. The Green Group is strongly in favour of refitting current homes, before demolition and new builds, because of the Climate Emergency which faces us all.

Since the Planning and Development Cabinet Advisory Panel ended, it has been helpful to have had an update from Rob Bristow, Head of Planning, to better understand the context of these modifications. The Green Group also appreciated the delivery of long-called for planning training.

We look forward to the establishment of a Planning Policy Liaison Committee, to harness representative views from councillors across the full geography of Lambeth, to better serve the borough.

Uppermost in our response is to enable Lambeth Plan to be:

- a) Agile in responding to external change: changes in climate, in legislation, integration of technology in business, digital dependence, work-space requirement post-pandemic, the census demography, London as less of a business hub post-Brexit, housing trends, how we celebrate events in Lambeth, the impact on London tourism if commemorating the death of a sovereign, even the minutiae of ward boundary changes;
- b) Guided by the principles the Council upholds, reflecting those it serves: democracy, transparency, inclusivity, accessibility, fairness, etc.

To that end, satisfying (a) and (b) we broadly support Lambeth planning's position on their response to the Inspector's comments, as we understand them to be, having spoken to the Head of Planning.

We favour policies which both show that we continue to respond to residents consistently, also that the council has the skills and security not to shift against its long-term vision to react to market

forces. The council has to meet its goals and remain solvent and planning serves a role in this, but not at the expense of sacrificing community needs or allowing empty developments.

Deletion of policy H2 (a) (iv) [Delivering affordable housing], where it applies to sites of up to 10 units and corresponding explanatory text. [MF1 and 2]

One of the more disappointing modifications to the Local Plan is seen in the changes to policy H2(a)(iv), referencing the delivery of affordable housing on smaller sites, fewer than 10 residential units. The Inspector proposes deleting the requirement to secure payments in lieu of affordable housing for schemes of this size, because national planning policy now precludes this approach.

When defining Affordable Housing, the Green Group follows the GLA policy 3.10¹, whereby affordable is social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. Lambeth Council has an obligation to meet the needs of those who fit this category, and ensure all policy is designed in a way to achieve this.

Due to a shortage of affordable rented housing, Lambeth had a workable formula requiring payment in lieu of affordable housing units of less than 10, where the developer argued the scheme would not be viable if more were at an affordable rent. This enabled Lambeth to respond to local needs.

The Inspector has followed the ministerial line, demanding no Section 106 levy on developments with fewer than 10 units, disregarding local context with a “one size fits all” approach. This would directly reduce the amount of affordable housing provided by the planning system. This could deter developers from bringing smaller schemes forward. These changes will have impacts on all small sites across London, with no affordable units if less than 25.

We think expanding “permission in principle” is unnecessary: the existing system has gained little support among developers and it could continue the worst examples of poor quality development, gained through expanded “permitted development” rights, through removing effective local authority control.

Where “small sites” are defined as less than 10 units of housing, there have been cases where developers siphon sites into smaller sites, so as to avoid contributions. There should be measures in place to prevent developers from breaking up large sites. Doing this enables them to deliver housing numbers just below the proposed increased threshold, avoiding affordable housing obligations.

There is also no evidence, especially drawing from the experience in Lambeth specifically, that this measure will achieve the desired effect; encouraging sites to come forward or benefitting smaller builders and developers. It could have unintended consequences e.g. developers may start submitting below threshold in order to avoid affordable housing obligations.

Here, the Green Group recommends liaising with, or following best practice of, other boroughs in responding to this point, which disadvantages councils in meeting the need for affordable housing from smaller developers.

¹ <https://www.london.gov.uk/what-wedo/planning/london-plan/current-london-plan/london-plan-chapter-3/policy-310-definition>

Deletion of policy H13 (a) (iii) [Large-scale purpose-built shared living] referring to rent control and corresponding explanatory text. [MF4 and 5] Recommended reference to a map of the Miles Street Character Area. [MF3]

To meet the Climate Emergency goals set by Lambeth, building style and height, plus heating reduction and generation, are implicated.

As a relatively unexplored policy area, there have still been strong representations from the promoters of student housing, and what you might call post-student housing for single people, with shared amenities. There has been some headway on proposing amenity standards for large HMOs, seen in Lambeth's recent policy extension to additional licensing of houses in multiple occupation.

The inspector has made a modest modification that would enable this form of communal housing to be built in lower density, suburban areas in other parts of the borough.

The Green Group is in favour of encouraging purpose-built shared living, but considers this is better achieved sustainably via smaller scale HMOs in the borough, other than via the large-scale tall building as we have in Vauxhall. Not wholly dissimilar to student housing, this model of large scale, purpose-built accommodation, should have a precondition for highly sustainable locations. This refers to areas such as Vauxhall where there is accessible public transport and local amenities, so that people can get to work easily.

Building purpose-built shared housing may be appealing to different developers and there may be Housing Associations, or groups of individuals, who would come forward for this model of housing; to provide co-housing for people of all ages, not merely post-student pre-homeownership but post-retirement post-rented flats. This would meet the needs of the residents in Lambeth, who we want to enable to remain in the borough, have never owned property and have modest pension provision.

Lambeth's Local Plan needs to reflect inclusiveness and accessibility in its approach to attracting property developers. Therefore, it needs to remain flexible enough to be open to small, adapted spaces with retrofit and on-site community sufficiency, as well as large-scale high-rise new builds.

Large-scale provision should not exclude Community led housing². Lambeth needs the flexibility of the Local Plan to be able to assist with Community Land Trust³ sites or joining with neighbouring boroughs in creating a housing development culture of initiatives, where small communities' investment in home-building is supported and monitored.

To that end, there is a sustainability argument in favour of setting up a scheme similar to 'Community First Yorkshire' and for empowering communities in Lambeth with the means to create strong and full-representative Neighbourhood Plans.

² <https://www.communityledhomes.org.uk/sites/default/files/resources/files/2019-07/190709-planners-guide-clh-final.pdf>

³ Kirklees Council supports [Community First Yorkshire](#) to aid community led housing delivery through Local Plan policy, Development Management practice and Neighbourhood Plans. Funded by the Nationwide Foundation this Community First Yorkshire guide was written in partnership with the Royal Town Planning Institute (RTPI) and has also been endorsed by the Town and Country Planning Association (TCPA), National Community Land Trust Network (NCLTN) and Action with Communities in Rural England (ACRE).

Amend policy ED2 (a) [Affordable workspace] to refer to the proposed uplift of the net internal area as opposed to the overall extent of the enlarged area. [MF6]

Amend policy ED2 (h) [new paragraph] to introduce flexibility into the timing of the provision of affordable workspace. [MF7]

The Green Group considers this a disappointing comment from the inspector on the Lambeth Local Plan: the modifications to policies ED2 regarding the provision of Affordable Workspace.

Community groups especially those creating their Neighbourhood Plans note a dearth of local workspace that is both affordable and useful for local enterprises, not just for start-ups, but for small but expanding businesses wishing to remain local.

Developers have tended to provide a token workspace element in their housing-led developments, but which turns out to be of limited practical use. The original policy sought affordable workspace in 10% of the entire office space to be calculated on the net floorspace of the office. Lambeth has been able to better ensure affordable workspace is provided as a result. In order to further the aim for affordable workspace, Lambeth needs to ensure it does not have void capacity at otherwise potential development sites.

Hondo and Elizabeth House were examples of where Lambeth's Local Plan secured 10% of gross floor space as affordable space. This seems both reasonable and desirable. Therefore, a degree of flexibility as to the timing of the provision of affordable workspace is welcomed.

It is the Green Group's understanding that Stanhope PLC have been lodging an argument to calculate the provision of affordable workspace by gross floorspace, as opposed to net. Approaching net increase, not the entirety of workspace on site, will inevitably have the effect of providing less affordable workspace as developers think about existing buildings.

There is a nuance in that owners will have to demonstrate they have been using floorspace lawfully in the last three years. This will hopefully prevent people setting aside for redevelopment and offsetting the floorspace, yet it is important that Lambeth make clear how they will determine whether the space is being used lawfully.

Amend policy ED3 [Key Industrial and Business Areas (KIBAs)] and supporting paragraphs, to introduce flexibility to enable the policy to be effective in encouraging and maintaining investment in both business and industry and corresponding explanatory text. [MF8-10]

We agree that KIBAs are not for offices and unsuited to high density locations such as Town Centres. We support Lambeth Officer's stance that a distinction should be respected between types of business and their geographical siting needs to reflect this.

The rise in Lambeth of the micro-brewery, and the rich culture of artists in the borough, are two examples of where lines are blurred between what might historically have been considered industrial, noisy and 'messy' production, to a quieter, more clinical factory which includes part office-like facilities and its clean machines include electronic hardware and low level healthy and safety concerns.

KIBAs have hitherto involved heavy plant machinery where hazardous material would be of public safety concern. The technological advances and changing in style of operations and equipment

means that KIBAs are more likely to have concealed parts with sealed pre-packed liquids and may therefore not give rise to the dangers of flammability and public nuisance associated with breweries, manufacturers of furniture and car-spraying.

Some light industries, such as micro-breweries, fashion and fabric, bakeries and furniture-making, may welcome clients and observers rather than have them concealed on an industrial estate.

Lambeth can reflect the economic and technological changes in KIBAs and be more flexible in considering what is suitable for an area, but need to balance this with protecting threats to the integrity of town centres.

The creative uses of arches throughout the borough are a developing focus which Lambeth may need to pay particular attention to, especially since companies such as Network Rail via Arches Co own such spaces. They provide enormous scope as small business enterprises as well as forming cut-through pedestrianised links between areas which were previously impenetrable railway. They are present beside many of our town centres and are already providing an ideal site for micro-breweries, artists' studios and horticultural activities e.g., herbs in Clapham and vegetable box deliveries in Thurlow Park ward.

Lambeth's Planning Policy should protect KIBAs, in respect to the Use Classes Order changes (UCO). Lambeth has long established a principle of a "Town Centre First" approach, that prevents developers from undermining the use of the town centre and opening it up to retail.

We concur with officers' response and regret the change. With the changing nature of industrial production in the borough, Lambeth needs to retain some flexibility and agility in responding to further morphosis in the ensuing life of this Lambeth plan. Lambeth needs to be able to adapt as we see the impact of a (reduced) change in demography, the impact of Brexit and the change in ward boundaries.

In areas which become more densely occupied with housing or business, the Lambeth Plan and Neighbourhood Plans will benefit from looking at ways to strengthen the infrastructure (access to surgeries, shops and community hubs) and improving the PTAL rating, especially since new builds do not include parking facilities beyond Blue Badge holders and car club spaces.

Even whilst the old classes are phased out within consolidated Class E, there still needs to be distinctions that recognise differences between retail and restaurants, for example. Lambeth's Planning Application Committee is likely to err on preventing movement in class E, in its Town Centre first approach, even whilst respecting the change in UCO in the Lambeth Plan.

The Green Group welcomes the site allocation document as an additional Supplementary Planning Document, overseen by a cross-party Planning Policy Liaison Committee. We don't often allocate sites; the great majority of sites in the borough aren't subject to those controls.

Amend policy ED14 [Hotels and other visitor accommodation] to support hotels and other visitor accommodation within the Waterloo CAZ boundary subject to impacts on residential amenity and the mix and balance of local land uses in addition to other parts of the Borough, and corresponding explanatory text. [MF11 -13]

The Lambeth Plan will have the guidance of the London Plan's view of hotel accommodation. Waterloo's needs are congruent, to a modest extent, with that London provision.

Following guidance from the London Plan, the Inspector's comments suggest more flexible controls on hotels in Waterloo, such as the level of hotels that are built, or consented and in the pipeline. The Green Group is supportive of hotels, but their overconcentration in Waterloo may prevent other good uses, be that residential or commercial.

The trend reflects declining interest in offices at that end of the borough, and tighter controls have been met with expected lobbying from hoteliers. We are resisting further hotel development in Brixton, though that may have already peaked.

The plan should pursue an exacting approach to hotels, to take account of the mix of use in these areas. The policy should consider whether permitting a hotel would create overconcentration and prevent the build of housing. The new policy will help refuse schemes that contribute to over density, but should not pursue a blanket note, to assess each scheme on its merits.

The Green Group favours a mix of developments and judges worthwhile use of space to be where the area as well as the specific location is considered. Therefore, as a caveat to assessing on a case-by-case basis, weight needs to be given to the Neighbourhood Plans.

There is a tension between adhering to the merits of an individual case, versus the desirability for the neighbourhood. This exploring the relative weight on policies in the London Plan, the Local Plan and any emerging Neighbourhood Plan is the reason why the council has regard to public comments and political representation.

Scrutiny of decision-making is the preserve of Planning Officers in guiding the planning Application Committee; to ensure legal and technical process, while measuring the weight placed on these competing policies. This is why there is a Planning Application Committee held in public and what makes for democratic decision-making. Reflecting these policy terms is challenging and arguably there is no binary solution.

Sustainability appraisal of the Main Modifications:

More broadly, within the Draft Revised Lambeth Local Plan Proposed Submission Version January 2020, within the Summary of Spatial Planning Issues, 2.74, *Accommodating population growth* features as one of the six key themes. It is important that the council factor into any sustainability appraisal the implications of a *declining* population, due to, amongst other reasons, the economic and social impacts of Covid-19 and Brexit.

Recent evidence suggests that domestic, and international, migration from London has started to fall, meaning that people are not moving into new housing at the same rate that they once were. A recent PWC economic insights report found that London's population is expected to decline for the first time in this century, as this year alone, it is estimated that the population could fall by as many as 300,000 people⁴.

A declining population will result in massive changes; the effects are already evident in lower rents, but will also likely result in lower house prices. This should be factored in when considering the large-scale purpose-built shared living, but also inform the repurposing of spaces, such as introducing industrial sites.

10. To protect, enhance and promote biodiversity, and to bring nature closer to people.

⁴ <https://www.pwc.co.uk/services/economics/insights/uk-economic-update-covid-19/january-2021.html>

11. To create, manage and enhance green infrastructure.

The Green Group advocates for better integration within the council's decision making so that the climate impacts of all decisions (whether that's a new development or waste) are considered from the outset, not right at the end of the process. It is also imperative that the whole borough, as well as council operations, be brought to carbon neutrality by 2030, as stated in the Climate Emergency motion passed in January 2019.

To achieve this, the plan throughout needs to be far bolder. Currently, there is little mention of firm actions or standards, or the prioritisation of retrofitting over demolition. Lambeth, through its Local Plan, needs to ensure stronger planning policies on climate.

Affordable housing spend must be prioritised and infrastructure spending ring fenced. This would allow for the infrastructure needed, to enable development, and especially infrastructure, for low carbon living and increased biodiversity. Some examples to enhance and promote biodiversity within the inspector's proposals could include grid upgrades, provision of renewable energy including solar PV on all roofs as standard, rural and urban sustainable drainage, walking and cycle routes, or allotments & other food growing space.

If the new Infrastructure Levy is to be based on the value of the development, areas with low house values will lose out. This will work against 'levelling up'. There is some justification for higher levies where there are high house values, as the high cost of land will also mean higher costs for providing infrastructure (and affordable housing), but this needs to be balanced. Any formula should take into account income and affordability, not just be set at a flat rate across the county.

12. Minimise energy consumption and increase energy efficiency and the use of renewable energy. Reduce greenhouse gases and prepare the Borough for the unavoidable effects of climate change. +/-

We suggest that Lambeth should promote zero carbon energy performance in all developments by requiring developers to:

1. Optimise building design to reduce energy demand.
2. Follow the energy hierarchy, prioritising a fabric-first approach.
3. Achieve a minimum on site reduction in carbon emissions of at least 60 per cent beyond Building Regulations Part L.
4. Use the best industry standards and assessment methods to achieve carbon reductions beyond building regulations, including Passivhaus Plus, EnerPHit and the AECB Gold standard.
5. Avoid carbon off-setting to achieve carbon reduction goals.
6. Calculate the embodied energy required for the development and assess the potential of renovation over demolition.
7. Use the LETI Climate Emergency Design Guide and Embodied Carbon Guide to achieve best practice technically in design, renovation and new build.

Heating continues to be the single greatest source of carbon emissions across the UK, accounting for more than one-third of total emissions. The plan needs to acknowledge the long-term damage caused by a continued use of gas heaters. Decarbonising heat, especially among the older, less energy efficient private housing stock, remains one of the biggest challenges as it requires action in millions of individual homes.

The council should explore how to incentivise, encourage, or require the installation of more efficient and less carbon intensive methods of heating, such as heat pumps. These considerations would have an impact on raising standards in private housing, while also helping to create warmer, better homes and lowering carbon emissions at the same time.

It is imperative to advocate a fabric first approach, insulating existing buildings to very high standards, with airtightness and ventilation to prevent condensation and promote air quality, preferably with heat recovery. Only then can the heating and hot water energy requirements be assessed- and renewable electric energy, via efficient systems such as heat pumps where appropriate, used for heating. The Green Group advocates for the use of renewable energy, PhotoVoltaic PV panels, for example, to be installed as part of a fabric first approach. PV panels should be installed after improved insulation to roofs.

Despite the ecological merits of refurbishment, Lambeth is unrelenting in its demolition-led strategy (interestingly, new construction is VAT exempt, while retrofitting is not). The council should set a trajectory for introducing requirements for Whole Life Carbon assessment and embodied carbon reductions and alternatives to demolition need to be explored.

Therefore, we suggest that Lambeth develops its own SPD or design guidance, drawing on the LETI guides, in order to address the more detailed issues that developers need to consider. We would be happy to contribute to the development of such guidance. We hope very much to work with the Lambeth Planning department to bring comments to your future documents as they develop.

Councillors Nicole Griffiths, Scott Ainslie, Jonathan Bartley, Pete Elliott and Becca Thackray