

LBL02 – Council response to document INS02

28 August 2020

The Council thanks the Inspector for his response in document INS02 and notes that at present it is only asked to respond to the question in section 8 of that document about the Use Classes Order changes. This document sets out the Council's response to that question, which is replicated below in blue.

8 Use Classes Order changes

8.1 Changes to the Use Classes Order have recently been announced and the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 will come into effect on 1 September 2020, amending the Town and Country Planning (Use Classes) Order 1987.

8.2 There is the potential that these amendments to the Use Classes Order could have implications for a number of policies and allocations involving uses which are now subject to change. As a result, it is necessary that the MIQs consider these changes with reference to a number of policies, including in relation to business use. I would also welcome any initial comments from the Council at this stage. Due consideration should also be given to how these changes may impact the policies in Section 6: Economic Development, Retail and Town Centre Uses and the detailed site policies included in Section 11: Places and Neighbourhoods.

Council response

We are asked for our initial comments on the impact of the Use Classes Order (UCO) changes coming into effect on 1 September 2020 on the policies and allocations within the Draft Revised Lambeth Local Plan currently undergoing examination. These comments are set out below, followed by a table analysing the impact of the changes on those policies we consider to be affected and proposing a way forward for each policy. The more detailed work of collating the proposed changes to wording arising from this analysis is still on-going and will follow in due course in the form of an addendum to the Schedule of Proposed Changes (SD17a).

The UCO changes in question can be summarised as follows:

- Revocation of current uses classes A1 (Shops), A2 (Financial and professional services), A3 (Restaurants and cafes), A4 (Drinking establishments), A5 (Hot food take-away), B1 (Business), D1 (Non-residential institutions) and D2 (Assembly and leisure)
- Creation of new use classes E (Commercial, business and service), F1 (Learning and non-residential institutions) and F2 (Local community)

- Redistribution of the uses within the former classes A, B1 and D across these new classes, with some uses in the old classes (A4, A5, part of D2) now identified as *sui generis* (i.e. outside a specified use class)
- The residential (C classes), General industrial (B2) and Storage and distribution (B8) use classes remain unchanged.

Lichfields UK has produced a useful summary of the relationship between the old and new classes, which can be seen [here](#).

The government has published an [Explanatory Memorandum](#) alongside the statutory instrument and intends to publish an assessment of impact, although the latter does not yet appear to be available on the relevant website.

The Explanatory Memorandum explains the rationale for the changes as follows:

"What is being done and why?"

7.1 The current Use Classes Order was introduced in 1987 and has been amended a number of times since. However, the government considers that it requires a complete overhaul to better reflect the diversity of uses found on high streets and in town centres and to provide the flexibility for businesses to adapt and diversify to meet changing demands. This is particularly important at the present time as town centres seek to recover from the economic impact of Coronavirus. Modern high streets and town centres have changed so that they now seek to provide a wider range of facilities and services, including new emerging uses, that will attract people and make these areas viable now and in the future.

7.2 These Regulations amend and simplify the system of use classes in England.

7.3 They create a new broad 'Commercial, business and service' use class (Class E) which incorporates the previous shops (A1), financial and professional services (A2), restaurants and cafes (A3) and offices (B1) use classes. Uses such as gyms, nurseries and health centres (previously in use classes D1 Non-residential institutions and D2 Assembly and leisure) and other uses which are suitable for a town centre area are also included in the class. This new class allows for a mix of uses to reflect changing retail and business models. It therefore, recognises that a building may be in a number of uses concurrently or that a building may be used for different uses at different times of the day. Changes to another use, or mix of uses, within this class do not require planning permission. Bringing these uses together and allowing movement between them will give businesses greater freedom to adapt to changing circumstances and to respond more quickly to the needs of their communities.

....

7.8 The revisions to the Use Classes Order also provide for the need for local consideration of some uses. The former A4 Drinking establishments and A5 Hot food takeaway use classes have been removed. We recognise that changes of use to or from these uses can give rise to important local considerations, for example, to ensure that local pubs can be protected or to prevent the

proliferation of hot food takeaways. We have therefore, included these uses in the list of uses which are specifically identified in the Use Classes Order (see Article 3(6)) as uses which do not now fall within any use class. We have also taken this approach with cinemas, concert, dance and bingo halls which fell within the former D2 use class. This will mean that changes to and from these uses will be subject to full local consideration through the planning application process.

7.9 These reforms are primarily aimed at creating vibrant, mixed use town centres by allowing businesses greater freedom to change to a broader range of compatible uses which communities expect to find on modern high streets, as well as more generally in town and city centres. They apply to all uses of land and buildings across England.

....”

The Council takes from this that the intention behind the changes – and behind the new Class E in particular - is primarily to support town centres and high streets, allowing them to adapt to changing circumstances, reflect changing retail and business models, and provide a wider range of facilities and services, including new emerging uses, that will attract people; and allowing businesses greater flexibility to adapt and diversify to meet changing customer demand in their communities. The Memorandum acknowledges that for drinking establishments and hot food take-aways, changes to or from these uses can give rise to important local considerations, so these uses become *sui generis* with the implication that changes of use can be managed through development plan policy.

The Council supports and agrees with the overall stated intention behind the changes, as it relates to town centres and high streets. Some town centres and high streets have been increasingly challenged for some time by changing consumer habits (particularly the rise of internet shopping) and the demise of a number of multiple retail and restaurant chains. This trend has accelerated as a result of the dramatic impact of the Covid-19 lock-down during Spring/Summer 2020. Town centres and high streets will need to adapt rapidly to survive, both in the short term and in the medium to longer term as working patterns, tourism, shopping habits and social inter-action re-establish themselves during the post-Covid recovery, possibly in different ways to before. Appropriate flexibility in planning uses within town centres can complement other strategies for high street recovery and is supported in principle.

However, the Council is of the view that circumstances vary widely from one town centre to the next depending on proximity to residential neighbourhoods or to office and tourism clusters and transport nodes. Where large numbers of people have been working from home in a residential neighbourhood, town centres within walking or cycling distance have in some cases experienced a welcome boost in demand for local businesses and services. Conversely, some centres primarily serving office and tourism locations or transport nodes are struggling to recover whilst these sectors remain affected by restrictions on movement and social distancing. Different sizes of centre are also affected in

different ways, as are different areas within a single town centre; and London town centres are frequently very different from smaller towns and cities in other parts of the country. It is therefore important to continue to be able to tailor policy responses to local circumstances. There is also a great deal of uncertainty about how lasting the impact of Covid-19 will be, with the possibility that some aspects of town centres in London may return to their previous levels of economic vitality (particularly in the food and drink sector) within the next five years.

The Council is also of the view that there are potential unintended consequences arising from the introduction of Class E, some of which could actually be harmful to town centres. The main issue is that Class E now includes uses that are not within the definition of main town centre uses in the NPPF, specifically light industrial (formerly B1c), research and development (formerly B1b) and clinics, health centres, crèches, day nurseries and day centres (formerly D1). Whilst there is no real concern with these uses locating in town centres, they also can and will need to locate in non-town centre locations. Going forward, they will fall within the E use class that also includes main town centre uses that should only locate within town centres (unless the NPPF sequential test is applied, and potentially also an impact assessment undertaken). Given change of use within a use class does not constitute development, a health centre outside of a town centre could become a shop or restaurant without the need for planning consent or prior approval, for example. This provides a means to circumvent the sequential test and therefore undermines the long-established principle of 'town centre first' for main town centre uses, enshrined within NPPF paragraph 86. This will ultimately be harmful to town centre vitality and viability because shops and restaurants will be able to proliferate outside of centres at the expense of vacant units within centres.

The same issue could also be harmful to other land use policy objectives, such as protection of industrial land. Thus, a light industrial use within a designated industrial area protected for industrial uses only could change to an office, shop or restaurant thereby introducing uses that are not appropriate in that location and undermining both the integrity of the industrial area and the stock of land protected for industrial use. There is likely to be a difference in value between light industrial and office uses in many locations, which will incentivise landowners to take advantage of this loophole. Again, offices will proliferate outside of town centres, harming the vitality and viability of town centres themselves.

This raises a wider issue with the UCO changes, which is that – applied in an unrestricted way - they do not enable allow for consistency with the requirements of the NPPF. The Framework requires local planning authorities to ensure that “sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity” (paragraph 8) and that planning policies “should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area” (paragraph 9). It goes on to state that strategic policies should “set out an overall strategy for the pattern, scale and quality of development, and

make sufficient provision for...employment, retail, leisure and other commercial development..." (paragraph 20) and that they "should provide a clear strategy for bringing sufficient land forward, and at a sufficient rate, to address objectively assessed needs over the plan period" (paragraph 23).

In relation to specific sectors, the Framework states that "Planning policies should (a) set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth, having regard to Local Industrial Strategies and other local policies for economic development and regeneration" (paragraph 81) and "recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative and high technology industries; and for storage and distribution operations at a variety of scales and in suitably accessible locations" (paragraph 82). Under the heading 'Ensuring the vitality of town centres' it states that planning policies should "define the extent of town centres and primary shopping areas, and make clear the range of uses permitted in such locations, as part of a positive strategy for the future of each centre" (paragraph 85(b)); and "apply a sequential test to planning applications for main town centre uses which are neither in an existing centre not in accordance with an up-to-date plan" (paragraph 86).

In London, borough-level local plans also need to be in general conformity with the London Plan, which sets much of the strategic context for planning policies relating to the economy in the capital, including establishing a town centre hierarchy and defining requirement for industrial land and capacity. Again, applied in an unrestricted way, the new uses classes (particularly Class E) do not allow boroughs to achieve general conformity.

Fortunately, local planning authorities are able to use conditions and planning obligations to make otherwise unacceptable development acceptable, so long as there is a clear justification and all of the relevant tests for their use are met. In the Council's view, in order to address the unintended consequences of Class E described above and in order to plan positively in a way that is consistent with and meets all the requirement of the NPPF, and achieves general conformity with the London Plan, it will be necessary in some cases to use conditions and/or planning obligations to limit the uses within new Class E development, particularly in out of town centre locations and on designated industrial land. This may also be necessary in some instances within town centres to support primary shopping areas; or to maintain the required supply of office floor-space to meet objectively assessed need and/or be able to secure affordable workspace from new office developments, for example.

With these considerations in mind, the Council has analysed each of the policies and retained site allocations in the DRLLP PSV 2020 it considers is affected by the UCO changes. This analysis is set out in a table in Appendix 2 of this document. The following information is identified for each affected policy: summary of policy objectives and approach, rationale (including consistency with national policy and general conformity with the London Plan), impact of UCO changes, and proposed way forward. The proposed way forward indicates whether changes may need to be made to wording in the policy or supporting

text; whether in some cases aspects of the policy approach may need to change because they are no longer deliverable; and whether the Council will need to make clear its intention to use conditions and/or planning obligations to limit uses within Class E, in order to achieve the objectives of the policy. If a policy is not included in the table, in the Council's view it is not affected by the UCO changes.

Appendix 1 – Analysis of the impact of the UCO changes on policies within the Draft Revised Lambeth Local Plan Proposed Submission Version January 2020

Policy number	Policy objectives and approach	Rationale (including consistency with national policy and general conformity with London Plan)	Impact of UCO changes	Proposed way forward
ED1	Protects existing office floor-space from change to other uses unless policy tests are met, and supports new office floor-space in the Central Activities Zone, Opportunity Areas and town centres. Requires larger office schemes to consider inclusion of flexible workspace for micro and SMEs	To plan for an appropriate supply of office space in the borough to support economic growth, consistent with NPPF paragraphs 8, 20 and 80 to 82, and with paragraph 86 in relation to sequential assessment of sites for main town centre uses. Also in general conformity with London Plan policies SD4 to SD7, E1 and E2.	Class E removes the ability to differentiate between offices and other uses in that class including shops, restaurants and light industrial. This undermines the ability to plan for this specific use, because new offices will be able to change to other Class E uses without consent. Also other Class E uses outside of town centres will be able to change to office use and bypass the sequential test, undermining the town centre first principle.	Remove all references to the old B1a use class and just refer to 'offices'. Make clear the Council's intention to use conditions and/or planning obligations to restrict new floor-space to office only within Class E, in order to achieve the policy objectives; and to prevent other Class E uses outside town centres from becoming offices without applying for planning permission.
ED2	Seeks a proportion of affordable workspace to be secured at less than market rent from major <u>office</u> developments in certain parts of the borough (based on evidence of development viability). Allows affordable workspace to be provided for any use within B1 (i.e. B1a, B1b, B1c). Sets out how the	To help meet need for affordable workspace among micro, small and medium enterprises in Lambeth, particularly in the creative and digital sectors. This is consistent with NPPF paragraphs 8, 20, and 80 to 82 and in general conformity with London Plan policies E2, E3 and HC5.	Class E removes the ability to differentiate between offices and other uses within that class including research and development and light industrial. The viability evidence supporting the policy only justifies its application to office development, not to former B1b or B1c uses	Remove all references to former use class names (B1, B1a, B1b and B1c) and instead name the specific uses intended (office, light industrial, research and development. Make clear the Council's intention to use conditions and/or planning obligations to

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	affordable workspace should be managed and the circumstances in which scheme viability will be tested. Protects existing affordable workspace.	Although only sought from office developments, the policy allows for the affordable workspace to be provided for B1b or B1c use because this type of space is needed to be sectors the policy is seeking to support.	which generally have lower development values. Given the evidence about different development values, it is still necessary to differentiate between these uses to make the policy deliverable.	restrict the types of use consented within Class E, in order to achieve the policy objectives.
ED3	Protects KIBAs (identified on the Policies Map) for industrial use and encourages industrial intensification. Lists B1b, B1c, B2, B8 and industrial sui generis uses as appropriate and new B1a office and large scale retail as not appropriate. Small shops, cafes and gyms intended primarily for use by those working in and visiting the KIBA are supported; those that will attract large numbers of customers with no connection to the KIBA are not permitted.	KIBAs are protected to maintain and increase industrial floor-space capacity in the borough and to support the Central Services Area, as required by London Plan policies E4, E6 and E7 and NPPF paragraphs 8, 9, 20, 23, and 80 to 82. Main town centre uses (offices, shops, cafes and gyms) are not supported in KIBAs to maintain the town centre first principle and integrity of the town centre network, as required by London Plan policies SD6, SD7, SD8, and E9 and NPPF paragraphs 8, 9, 20, 23, and 85 to 90.	Class E removes the ability to differentiate between retail, office, light industrial, research and development, cafes and gyms. Light industrial permitted within a KIBA could change to office or retail without consent and bypass the sequential test. The town centre first principle is eroded. The ability to protect and intensify industrial floor-space capacity is undermined.	Remove references to old use classes but continue to differentiate in policy wording and supporting text between types of use within the E use class (e.g. offices, light industrial, shops). Make clear the Council's intention to use conditions and/or planning obligations to limit uses consented within Class E, in order to achieve the policy objectives.
ED4	Encourages the intensification of industrial uses on non-designated industrial sites (and lists relevant uses classes within the definition of industrial). Cross refers to relevant London Plan policies.	Protection and intensification of industrial uses on non-designated industrial sites to be in general conformity with London Plan policies E4, E7 and E2 and consistent with NPPF paragraphs 8, 9, 20 and 80 to 82.	The references to B1 uses become obsolete as these are now subsumed within Class E. The references to B2 and B8 are unaffected as these use classes remain. Class E removes	Refer to 'industrial uses' as defined in London Plan Policy E4, rather than to specific classes within B1. Make clear the Council's intention to use conditions and/or

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	<p>Makes clear that new B2 and B8 uses should generally locate in KIBAs (i.e. designated industrial sites). Requires consideration of provision of flexible workspace or small units in larger schemes.</p>		<p>the ability to differentiate between light industrial and retail or restaurants or offices. Light industrial uses permitted on non-designated industrial sites outside of town centres could change to office or retail without consent and bypass the sequential test. The town centre first principle is eroded. The ability to protect and intensify industrial floor-space capacity is undermined.</p>	<p>planning obligations to limit uses consented within Class E, in order to achieve the policy objectives.</p>
ED6	<p>Specifies uses appropriate and not appropriate in railway arches, with reference to use classes. Differentiates between arches within town centres/Opportunity Areas, and elsewhere. Clause (a) includes references to A, D and B1 uses and also cross refers to other Local Plan policies applicable in town centres, including places and neighbourhoods policies, which manage the mix of ground floor uses in certain locations. Potential change PC029, listed</p>	<p>Differentiation between locations within and outside town centres/OAs to maintain the town centre first principle and integrity of the town centre network, as required by London Plan policies SD6, SD7, SD8, and E9 and NPPF paragraphs 8, 9, 20, 23, and 85 to 90.</p>	<p>Class E removes the ability to differentiate between light industrial, shops, restaurants and offices. Light industrial permitted within a railway arch outside a town centre could change to an office, shop or restaurant without consent and bypass the sequential test. The town centre first principle is eroded.</p>	<p>Remove references to old use classes but continue to differentiate in policy wording and supporting text between types of use within the E use class (e.g. offices, light industrial, shops). Make clear the Council's intention to use conditions and/or planning obligations to limit uses consented within Class E, in order to achieve the policy objectives.</p>

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	within the Schedule of Potential Changes (SD17a), already proposes removing the references to old use classes in clause (b) and replaces them with the term 'industrial uses', with supporting text clarifying this is as defined in London Plan policy E4.			
ED7	Establishes the principle of Lambeth's town centre hierarchy (identified on the Policies Map). Seeks to maintain the predominant retail function of primary shopping areas in larger centres (also identified on the Policies Map). Protects areas of specialist shopping and local shops and services to meet community need. Encourages residential on upper floors in town centres. Plans for up to 800sqm net additional comparison retail floor-space across the borough. Makes clear the mix of uses in town centres will be managed in accordance with other policies in the plan, including the policies for Places and Neighbourhoods. Requires	To ensure the vitality, viability and regeneration of Lambeth's hierarchy of major, district and local centres and CAZ retail clusters. To plan for future retail need and economic growth, based on evidence. The policy approach is consistent with NPPF paragraphs 8, 9, 20, 23 and 85 to 90; and in general conformity with London Plan policies SD6, SD7, SD8, SD9 and E9.	Class E removes the ability to differentiate between the different types of use that fall within it. Whilst this is a not a concern in some parts of some town centres, where the additional flexibility is supported, it does inhibit the ability to support primary shopping areas and areas of specialist retail, and the ability to manage the mix of ground floor uses in specific locations. These elements of the policy are necessary to respond to local circumstances in Lambeth town centres. It also restricts the ability to plan for and monitor the level of retail floor-space in the	Maintain the overall policy approach. Remove references to old use classes and refer instead to the specific uses intended (e.g. retail). Clarify the definition of active frontage uses to focus on how activity should be achieved, rather than by reference to use classes. Make clear that outside of primary shopping areas, all uses within Class E will be supported, as well as appropriate community and sui generis uses. Make clear the Council's intention to use conditions and/or planning obligations

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	<p>active frontage uses at ground floor level in town centres. Makes clear the sequential test will apply to proposals for town centre uses outside of town centres. Makes provision for a range of shop unit sizes and protects storage and yard facilities in retail units.</p>		<p>borough, as required by national policy.</p> <p>Class E include some non-main town centre uses which can locate outside of town centres. These will be able to change to main town centre uses and bypass the sequential test, which undermines the town centre first principle enshrined in the NPPF, the London Plan and Lambeth's policy. This will be harmful to town centre vitality and regeneration.</p>	<p>where necessary and justified to prevent main town centre uses outside of town centres, to maintain the predominant retail function of primary shopping areas and to ensure an appropriate mix of ground floor uses in specified locations, in order to achieve the policy objectives.</p> <p>Add that the impact of the UCO changes on the town centre network will be monitored and further guidance may be provided in the form of an SPD.</p>
ED8	<p>Requires evening and food and drink uses to be located in town centres and Central Activities Zone retail clusters, in accordance with the requirements set out in the Places and Neighbourhood policies.</p> <p>Does not permit evening and food and drink uses (including the use of outdoor areas)</p>	<p>To support the town centre hierarchy and town centre first principle. To support growth in the evening economy whilst managing harmful impacts. This is consistent with NPPF paragraphs 8, 9, 20, 23 and 85 to 90 and in general conformity with London Plan policies SD6, SD7, SD8, E9 and HC6 (which identifies town centres with</p>	<p>Class E removes the ability to differentiate between restaurants/cafes and the other uses within that class. This limits the ability to manage the specific impacts associated with these uses.</p> <p>Class E uses locating outside of town centres could change to a café or</p>	<p>Maintain the overall policy approach. Remove references to old use classes but continue to refer to evening and food and drink uses. Update the definition in the supporting text.</p> <p>Make clear the Council's intention to use conditions and/or</p>

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	<p>where this would cause unacceptable harm to community safety or the amenity of neighbouring residential areas and sensitive uses.</p> <p>Prevents new hot food takeaways within 400m of the boundary of a primary or secondary school. Prevents new drive-through takeaways.</p> <p>Manages the impact of evening and food and drink uses through management plans, customer management plans and delivery and servicing plans.</p> <p>The supporting text defines food and drink uses as A3, A4 and A5 and evening economy uses as A3, A4 and A5, night clubs, live music and/or dance venues and other entertainment activities (primarily D2).</p>	<p>particular significant for the night-time economy).</p> <p>To manage the adverse impact on public health of hot food take-aways near schools in accordance with London Plan policy E9 and paragraph 91 of the NPPF.</p>	<p>restaurant without consent and bypass the sequential test, which undermines the town centre first principle.</p> <p>Former A4 and A5 uses remain separate and are now <i>sui generis</i>, which does allow development plan policy to manage them.</p>	<p>planning obligations to limit uses consented with Class E where necessary and justified, in order to achieve the policy objectives and support the town centre first principle.</p> <p>Add that the impact of the UCO changes on the town centre network will continue be monitored and further guidance may be provided in the form of an SPD. This will include monitoring food and drink uses and any emerging harmful concentrations of these uses.</p>
ED9	Supports the retention of public houses unless policy tests are met. If the principle of change of use is accepted,	Recognition that public houses have an economic role and heritage, social and cultural value to communities. Supports the	Public houses are now <i>sui generis</i> uses and can continued to be protected by this policy.	Maintain the policy approach. Remove references to old use classes. Where the

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	<p>gives priority to A and D class uses in town centres and D class uses outside of town centres. Supports new pubs in town centres.</p> <p>Prevents the loss of ancillary facilities which make the operation of a public house unviable.</p>	<p>town centre first principle. The policy is consistent with NPPF paragraphs 8, 9, 20, 23, 85 to 90 and 92 and in general conformity with London Plan policies HC7, SD6, SD7, SD8 and E9.</p>	<p>Former A and D uses are now within new use classes.</p>	<p>principle of change of use is accepted, give priority to other appropriate town centre uses within town centres (in accordance with other plan policies), and to community uses outside of town centres. State that conditions and/or planning obligations may be used to achieve policy objectives.</p>
ED10	<p>Limits the proportion and concentration of A2 uses in town centres. Limits the proportion and concentration of betting shops and payday loan shops in town centres. Cross refers to additional policy on appropriate proportions of these uses within PN policies. A2 uses are included because this class includes pawnbrokers and money shops.</p>	<p>To manage the harm arising from too many uses of this nature in one area, which can negatively affect town centre vitality and viability, amenity and public health. To support a positive strategy for town centres and public health consistent with NPPF paragraphs 85, 91 and 92 and in general conformity with London Plan policies SD6, SD7, SD8 and E9.</p>	<p>Betting shops and payday loan shops remain <i>sui generis</i> uses, which allows development plan policy to manage these uses. A2 uses now fall within Class E and it is considered too difficult to try to manage concentrations of pawnbrokers and money shops specifically given this change.</p>	<p>Delete part (a) of the policy but maintain the approach in parts (b) and (c). Update the policy title and supporting text accordingly.</p>
ED11	<p>Requires active frontage uses in local centres, unless marketing evidence demonstrate no demand. Requires no less than 40% A1 retail in local centres, unless</p>	<p>To support and protect the role of local centres and local shops in meeting the day to day needs of communities. Local centres are part of the town centre hierarchy. This is consistent with NPPF</p>	<p>Class E removes the ability to differentiate between shops and the other uses within that class. Given most development within local centres is for change</p>	<p>Remove the requirement for a minimum of 40% A1 retail uses in local centres. Continue to require active frontage uses. Allow Class E, F1</p>

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	<p>marketing evidence demonstrates no demand.</p> <p>Protects dispersed local shops (A class uses) outside of local centres unless marketing evidence demonstrates no demand for an alternative A or D class use and there is a town centre or accessible provision of essential daily goods within reasonable walking distance.</p>	<p>paragraphs 8, 9, 20, 23, 85, 91 and 92 and in general conformity with London Plan policies SD6, SD7, SD8 and E9.</p>	<p>of use, and most existing units will now fall within Class E, this makes it very difficult to require a minimum proportion of shop uses. The greater flexibility within Class E may support the vitality and regeneration of local centres.</p> <p>A and D class uses now fall within the new use classes.</p>	<p>and F2 uses to locate in local centres but require a minimum proportion of Class E. Require new development in local centres to contribute to their function. Update supporting text.</p> <p>Continue to protect dispersed local shops unless it can be demonstrated that there is no demand for a shop use or a community use. Make clear the Council's intention to use conditions and/or planning obligations to achieve the policy objective.</p>
S1	<p>Safeguards existing social infrastructure, defined in paragraph 7.4 as facilities in the D1 and D2 use classes and some <i>sui generis</i> uses (other than schools, which are covered by Policy S3). Sets tests for circumstances in which change of use can be considered (in part (b)). Makes clear that change of use</p>	<p>To plan positively for community facilities and social infrastructure, consistent with the requirements of NPPF paragraphs 8, 9, 20, 34 and 92. To be in general conformity with London Plan policies S1, S2, S3, S5.</p>	<p>D1 and D2 uses are now variously within Class E (clinics, health centres, crèches, day nurseries, day centres, gyms, indoor recreation), Class F1 (non-residential education and training, public libraries, public halls, places of worship), Class F2 (hall or meeting place for the</p>	<p>Remove references to old use classes but continue to make clear in supporting text the types of use to which the policy applies. Amend clause (d) to relate to the new use classes relevant to this policy. Make clear the Council's intention to use conditions and/or</p>

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	between D1 and D2, and vice versa, will be supported subject to the tests in part (b).		principal use of the local community, swimming baths, skating rinks) or are now <i>sui generis</i> uses. Class E removes the ability to differentiate between health centres, which are not main town centre uses, and shops, restaurants and offices, which are. A healthcare centre outside a town centre could change to an office, shop or restaurant without consent and bypass the sequential test. The town centre first principle is eroded. This also removes the ability to safeguard particular uses within Class E to meet need for social infrastructure.	planning obligations to limit uses consented within Class E in out of centre locations, in order to maintain the town centre first principle; and in order to support the objective of safeguarding social infrastructure.
S2	Sets out the conditions under which new or improved social infrastructure will be supported. Sets out the circumstances under which use of residential floor-space for nursery or childcare use may be acceptable. Requires childcare provision in	To plan positively for community facilities and social infrastructure, consistent with the requirements of NPPF paragraphs 8, 9, 20, 34 and 92. To be in general conformity with London Plan policies S1, S2, S3, S5.	D1 and D2 uses are now variously within Class E (clinics, health centres, crèches, day nurseries, day centres, gyms, indoor recreation), Class F1 (non-residential education and training, public libraries, public halls, places of	Remove references to old use classes but continue to make clear in supporting text the types of use to which the policy applies. Make clear the Council's intention to use conditions and/or planning obligations to

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	development proposals for more than 500 residential units. Requires proposals for more than 25 residential units to be supported by an assessment of anticipated impact on social infrastructure.		worship), Class F2 (hall or meeting place for the principal use of the local community, swimming baths, skating rinks) or are now <i>sui generis</i> uses. Class E removes the ability to differentiate between health centres, which are not main town centre uses, and shops, restaurants and offices, which are. A healthcare centre outside a town centre could change to an office, shop or restaurant without consent and bypass the sequential test. The town centre first principle is eroded. This also removes the ability to safeguard particular uses within Class E to meet need for social infrastructure.	limit uses consented within Class E in out of centre locations, in order to maintain the town centre first principle; and where the policy only supports specific types of social infrastructure (e.g. nursery and childcare uses allowed on residential floor-space).
Site 1	Allocates land north and south of and including 10 Royal Street, SE1 (Founders Place) – preferred use health use for the expansion of St Thomas’ Hospital to provide clinical and ancillary hospital uses;	To provide land for health infrastructure consistent with NPPF paragraphs 8, 20 and 23 and in general conformity with London Plan S2.	Health care uses now fall within Class E. This would remove the ability to prevent a move to other uses within Class E.	No change to the wording of the allocation required. Make clear the intention to use conditions and/or planning obligations to limit uses within use classes where required on

Policy number	Policy objectives and approach	Rationale (including consistency with national policy and general conformity with London Plan)	Impact of UCO changes	Proposed way forward
	replacement of affordable housing.			allocated sites, to secure the allocated uses.
S3	Sets out the basis on which new schools will be supported. States that proposals for new schools on sites in other uses will be considered against relevant policies for those uses (acknowledging the permitted development rights for change of use that apply to new start-funded schools from some existing use classes). Protects land in existing school use.	To plan for sufficient school places to meet the needs of existing and new communities, consistent with NPPF paragraphs 8, 20 and 94 and in general conformity with London Plan policy S3.	<p>Schools now fall within Class F1, which also includes a range of other learning and non-residential institutions. This does not significantly affect the aims and operation of Policy S3. Consents for new schools are already conditioned to limit them to that specific use within the current D1 use class, so this practice will continue but now apply restrictions within F1.</p> <p>It is not clear from the GPDO amendment how the existing permitted development rights for schools changing use from B1, D1 and D2 will be affected by the deletion of these classes and their inclusion within the new broader classes (particularly B1 within Class E). Clarification of this point will be sought.</p>	Remove references to old use classes. Make clear the Council's intention to use conditions and/or planning obligations to restrict consents for new schools to that specific use within the new F1 use class, in order to achieve the objective of protecting land in school use to meet need.

Policy number	Policy objectives and approach	Rationale (including consistency with national policy and general conformity with London Plan)	Impact of UCO changes	Proposed way forward
Site 4	Allocates land at New Park Road SW2 – preferred use for education use (expansion of nearby primary school), with potential for enabling residential.	To provide a sufficient supply of school places in accordance with NPPF paragraphs 20, 23 and 94 and to be in general conformity with London Plan Policy S3.	Schools now fall within Class F1. The site allocation does not make reference to specific use classes.	No change to the wording of the allocation required. Make clear the intention to use conditions and/or planning obligations to limit uses within use classes where required on allocated sites, to secure the allocated uses.
PN1	<p>Identifies Waterloo as a CAZ retail cluster (defined on Policies Map). Seeks to optimise the area’s potential for the full range of central London and town centre activities consistent with this status. Plans for new homes and jobs in the wider Waterloo Opportunity Area. Manages other uses such as hotels.</p> <p>Identifies and safeguards Lower Marsh/The Cut/Leake Street as a Special Policy Area (SPA) (defined on the Policies Map). Requires at least 50% A1 and 30% A3 at ground floor in the SPA. Prevents amalgamation of retail units in the SPA.</p>	<p>To plan for growth in the Opportunity Area and ensure Waterloo and South Bank continue to play a key role in the Central Activities Zone and Lambeth economy, consistent with NPPF paragraphs 8, 9, 20, 23, 85, 91 and 92; and in general conformity with London Plan policies SD4, SD6, SD7, SD8, SD9 and E9.</p> <p>The Special Policy Area protects this location’s specialist character and role as a long-standing and unique cluster of smaller, independent retailers and food and drink uses. This is consistent with the policies listed above and with the aspirations of the South Bank and Waterloo Neighbourhood Plan.</p>	Class E removes the ability to differentiate between shops, restaurants and the other uses that fall within that class, which limits the Council’s ability to manage the proportions of shops and cafes and restaurants in the Special Policy Area through the current policy approach. This will harm the special character of this area.	Change the minimum proportions of A1 and A3 in the SPA to a minimum proportion of Class E uses. Require new development in the SPA to contribute to its character and provide an appropriate mix of shops, cafes and restaurants. Make clear the Council’s intention to use conditions and/or planning obligations to limit uses consented with Class E in order to achieve this policy objective. Maintain the rest of the policy approach.

Policy number	Policy objectives and approach	Rationale (including consistency with national policy and general conformity with London Plan)	Impact of UCO changes	Proposed way forward
	Prevents additional betting shops across the whole CAZ retail cluster.			
Site 5	Allocates land at Elizabeth House, York Road – preferred use for office-led development with a mix of central London activities including ground-floor active frontage uses and residential.	To provide a sufficient supply of land for office use in this part of the borough, consistent with NPPF paragraphs 20, 23, 80 and 81 and in general conformity with London Plan policies SD1 and E1. To ensure active ground floor uses appropriate in this CAZ location.	Office uses now fall within Class E. This would remove the ability to prevent a move from office to other uses within Class E.	No change to the wording of the allocation required. Make clear the intention to use conditions and/or planning obligations to limit uses within use classes where required on allocated sites, to secure the allocated uses.
Site 6	Allocates land at Shell Centre, York Road – preferred use mixed-use employment-led development: B1 office, residential, active ground-floor frontage uses to include retail, cultural, sport, leisure, community facilities including the replacement of the police facility.	To provide a sufficient supply of land for office use and housing in this part of the borough, consistent with NPPF paragraphs 20, 23, 80 and 81 and in general conformity with London Plan policies SD1, E1 and H1. To ensure active ground floor uses appropriate in this CAZ location.	Office uses now fall within Class E, as would retail. This removes the ability to prevent a move between these uses or to other uses within Class E.	Delete the reference to B1 but otherwise no change to the wording of the allocation required. Make clear the intention to use conditions and/or planning obligations to limit uses within use classes where required on allocated sites, to secure the allocated uses.
Site 9	Allocates land at ITV Centre and Gabriel's Wharf, Upper Ground – preferred uses mixed use including B1 offices, residential and active-frontage uses at ground floor level.	To provide a sufficient supply of land for office use and housing in this part of the borough, consistent with NPPF paragraphs 20, 23, 80 and 81 and in general conformity with London Plan policies SD1, E1 and H1. To ensure active ground floor uses appropriate in this CAZ location.	Offices and some active frontage uses (e.g. shops and restaurants) now fall within Class E, which removes the ability to prevent a move between these uses or to other uses within Class E.	Delete the reference to B1 but otherwise no change to the wording of the allocation required. Make clear the intention to use conditions and/or planning obligations to limit uses within use classes where required on

Policy number	Policy objectives and approach	Rationale (including consistency with national policy and general conformity with London Plan)	Impact of UCO changes	Proposed way forward
				allocated sites, to secure the allocated uses.
PN2	<p>Identifies a CAZ retail cluster at Vauxhall (shown on the Policies Map). Requires active frontages and at least 25 per cent of ground floor units within the retail cluster to be in A1 retail use to meet the needs of local residents and workers.</p> <p>Promotes growth in homes and jobs in the Vauxhall part of the NEV Opportunity Area.</p> <p>Encourages use of railway arches for employment and business as well as cultural, artistic and community uses.</p>	<p>To plan for growth in the Opportunity Area and ensure Vauxhall contributes to the Central Activities Zone and Lambeth economy, consistent with NPPF paragraphs 8, 9, 20, 23, 85, 91 and 92; and in general conformity with London Plan policies SD4, SD6, SD7, SD8, SD9 and E9.</p>	<p>Class E removes the ability to differentiate between retail and the other uses that fall within that class. However, the retail cluster in Vauxhall is emerging and being created through inclusion of active frontages and town centre uses in new developments. There is therefore an opportunity to use conditions and planning obligations in planning consents for new development to secure the policy objective of at least 25% retail.</p>	<p>Maintain the policy approach and require new developments to contribute to providing at least 25% retail in the CAZ retail cluster, alongside other Class E and other appropriate CAZ uses. Make clear the Council's intention to use conditions and/or planning obligations to limit uses consented with Class E in order to achieve this policy objective. No change to clause (d) on railway arches, which applies alongside Policy ED6.</p>
Site 10	<p>Allocates land at 8 Albert Embankment and land to the near bounded by Lambeth High Street, Whitgift Street, the railway viaduct and Southbank House – preferred use retention/provision of an operational fire station; mix of uses including residential and employment. Exceptionally,</p>	<p>To maintain key infrastructure; to provide a sufficient supply of land for employment and housing in this part of the borough, consistent with NPPF paragraphs 20, 23, 80 and 81 and in general conformity with London Plan policies SD1, E1 and H1.</p>	<p>Employment uses such as office, research and development or light industrial now fall within Class E. This would remove the ability to prevent a move to other uses which also fall within Class E.</p>	<p>No change to the wording of the allocation required. Make clear the intention to use conditions and/or planning obligations to limit uses within use classes where required on allocated sites, to secure the allocated uses.</p>

Policy number	Policy objectives and approach	Rationale (including consistency with national policy and general conformity with London Plan)	Impact of UCO changes	Proposed way forward
	configuration of the site to include some residential within the KIBA boundary; the amount of replacement employment should be maximised and should include space for small and medium enterprises.			
Site 11	Allocates land at Keybridge House, 80 South Lambeth Road, 10-22 Wyvill Road (even) and 143-161 Wandsworth Road (odd) – preferred use for mixed-use development with active frontages, employment with residential on the upper levels and potential location for a new primary school.	<p>To provide a sufficient supply of land for employment and housing in this part of the borough, consistent with NPPF paragraphs 20, 23, 80 and 81 and in general conformity with London Plan policies SD1, E1 and H1.</p> <p>To provide a sufficient supply of school places in accordance with NPPF paragraphs 20, 23 and 94 and to be in general conformity with London Plan Policy S3.</p>	Employment uses such as office, research and development or light industrial now fall within Class E. This would remove the ability to prevent a move to other uses which also fall within Class E. Schools now fall within Class F1. The site allocation does not make reference to specific use classes.	No change to the wording of the allocation required. Make clear the intention to use conditions and/or planning obligations to limit uses within use classes where required on allocated sites, to secure the allocated uses.
Site 12	Allocates land bounded by Wandsworth Road to the west, Parry Street to the north, Bondway and the railway viaduct to the east – preferred use for town-centre-led mixed-use development with employment, community uses and residential and re-provision of a hostel.	To provide a sufficient supply of land for town centre, employment, housing and community uses in this part of the borough, consistent with NPPF paragraphs 20, 23, 80 and 81 and in general conformity with London Plan policies SD1, SD4 E1 and H1.	Town centre and employment uses now fall within Class E, which removes the ability to prevent change to other uses within that class. Community uses now fall within F2. The site allocation does not make reference to specific use classes.	No change to the wording of the allocation required. Make clear the intention to use conditions and/or planning obligations to limit uses within use classes where required on allocated sites, to secure the allocated uses.

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Site 13	Allocates the plot bounded by 7-93 Wandsworth Road, Parry Street, Bondway including the bus station SW8 (Vauxhall Island Site) – preferred use for town-centre-led mixed-use development and residential. The allocation specifies which frontages should include retail and which should not, to support delivery of the CAZ retail cluster.	To provide a sufficient supply of land for town centre uses and housing and support the creation of a CAZ retail cluster in this part of the borough, consistent with NPPF paragraphs 20, 23, 80 and 81 and in general conformity with London Plan policies SD1, SD4 and H1.	Town centre and employment uses now fall within Class E, which removes the ability to prevent change to other uses within that class or to manage which frontages include retail and which do not. The site allocation does not make reference to specific use classes.	No change to the wording of the allocation required. Make clear the intention to use conditions and/or planning obligations to limit uses within use classes where required on allocated sites, to secure the allocated uses.
PN3	<p>Part (a) requires in the primary shopping area (defined on the Policies Map) at least 60% A1 retail, no more than 25% A3/4/5 food and drink uses, and not more than 2 in 5 consecutive A3/4/5 uses. No more betting shops or payday loan shops will be permitted within the centre as a whole.</p> <p>Part (b) relates to the indoor markets (as shown on the Policies Map) and requires no less than 50% per cent of floor space in A1 use and no more than 50% per cent in A3 in each indoor market, subject to an agreed management plan</p>	To promote and safeguard Brixton’s role as a distinctive, multicultural and diverse major town centre through careful and sensitive regeneration, recognising its local distinctiveness and historic built environment and supporting economic, social and environmental sustainable development. There are particular issues affecting different parts of the town centre (the primary shopping area, the indoor markets, the evening economy management zone, the rest), so the policy applies a different approach to managing uses in each area.	Class E removes the ability to differentiate between the different uses that now fall within it, such as shops, restaurant, offices and light industrial. This limits the Council’s ability to manage the mix of uses in different parts of the town centre in order to address specific local circumstances, achieve its strategy for town centre regeneration and support the Creative Enterprise Zone. It is likely to be necessary to use conditions and planning obligations in some circumstances to limit uses	<p>Maintain the overall policy approach.</p> <p>In part (a) remove reference to old use classes but require new development to contribute to the function of the primary shopping area to provide an appropriate mix of retail and food and drink uses.</p> <p>In part (b) remove reference to old use classes but continue to require the specified mix of shops and restaurants, and to manage other uses, via an agreed</p>

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	<p>being in place. A4 uses in the indoor markets will not be permitted on both the ground floor and upper floors. Protects floor-space on the upper floors that is in D1 or B1 use.</p> <p>Part (c) introduces an evening economy management zone (defined on the Policies Map). Within this, the proportion of units in A3/A4/A5 and night club uses should not exceed 40% per cent and no more than 10% of units should be in A4 units. No more than 3 in 5 consecutive ground floor units should be in A3/A4/A5 and nightclub use. There is a presumption against the use of rooftops and terraces for A3/A4/A5 and night club use.</p> <p>Part (d) requires that outside of the primary shopping area, indoor markets and the evening economy management zone, ground floor uses should be in A, D or B use, with the proportion of A4 and night club use restricted to 5% of units and no more than 2 in 5</p>	<p>This is consistent with NPPF paragraphs 8, 9, 20, 23, 81, 82, 85, 91 and 92 and in general conformity with London Plan policies SD6, SD7, SD8, SD10, E2, E3, E9, HC5 and HC6.</p>	<p>within use classes in new development going forward to achieve the policy objectives.</p> <p>A4 and A5 are now <i>sui generis</i> uses.</p>	<p>management plan (given the units in the market are in single ownership and management).</p> <p>In part (c) remove reference to old use classes but continue to manage the mix of bars, take-aways and nightclubs (all <i>sui generis</i>) in the evening economy management zone.</p> <p>In part (d), acknowledge that outside of the designated zones/areas Class E provides an opportunity for greater flexibility in the town centre. Allow commercial, business and service and community facility uses so long as an active frontage is provided. Continue to manage the proportion of pubs and bars and night club use (all <i>sui generis</i>).</p> <p>In part (e) remove reference to old use</p>

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	<p>consecutive ground should be in A4 or nightclub use.</p> <p>Part (e) relates to the Creative Enterprise Zone (defined on the Policies Map), within which applications that include B1 floor-space will be supported where they maximise the amount of market, flexible, low-cost and affordable workspace suitable for creative and digital industries, in accordance with Local Plan policies ED1 and ED2, provide a mix of workspace typologies and provide space that promotes networking and information sharing between businesses and that can be accessed by local community groups.</p>			<p>classes but continue to support office, research and development and light industrial uses in the CEZ.</p> <p>Make clear the Council's intention to use conditions and/or planning obligations where necessary and justified to limit uses consented within Class E in order to achieve the policy objectives.</p>
Site 14	<p>Allocates land at Somerleyton Road for mixed-use development of residential, employment, including social enterprise and business start-up spaces, cultural and community facilities. Depot provision to be retained or re-provided elsewhere in the borough.</p>	<p>To provide a sufficient supply of land for town centre, employment, housing and community uses in this part of the borough, consistent with NPPF paragraphs 20, 23, 80 and 81 and in general conformity with London Plan policies SD6, SD10, H1, E1 and E2.</p>	<p>Employment uses now fall within Class E, cultural and community uses now fall within F1 or F2 or are <i>sui generis</i>. It may be necessary to use conditions of planning obligations to limit uses within classes to achieve</p>	<p>No change to the wording of the allocation required. Make clear the intention to use conditions and/or planning obligations to limit uses within use classes where required on allocated sites, to secure the allocated uses.</p>

Policy number	Policy objectives and approach	Rationale (including consistency with national policy and general conformity with London Plan)	Impact of UCO changes	Proposed way forward
			the objectives of the allocation.	
Site 15	Allocates land at Popes Road for mixed-use development with retail, commercial, community, leisure and residential.	To provide a sufficient supply of land for town centre, employment, housing and community uses in this town centre location, consistent with NPPF paragraphs 20, 23, 80 and 81 and in general conformity with London Plan policies SD6, SD10, H1, E1, E2 and E9.	Retail and commercial uses now fall into Class E, which prevents the ability to manage changes to other uses within that class. Community and leisure uses now fall within Class F2. The site allocation does not make reference to specific use classes.	No change to the wording of the allocation required. Make clear the intention to use conditions and/or planning obligations to limit uses within use classes where required on allocated sites, to secure the allocated uses.
Site 16	Allocates land at Brixton Central (between the viaducts) for improvements to Brixton Station, and mixed-use development including retail, new workspace, food and drink, community, educational, leisure and recreation uses.	To provide a sufficient supply of land for town centre, employment and community uses in this town centre location, consistent with NPPF paragraphs 20, 23, 80 and 81 and in general conformity with London Plan policies SD6, SD10, E1, E2 and E9.	Retail and commercial uses now fall into Class E, which prevents the ability to manage changes to other uses within that class. Community and leisure uses now fall within Class F2; education within F1. The site allocation does not make reference to specific use classes.	No change to the wording of the allocation required. Make clear the intention to use conditions and/or planning obligations to limit uses within use classes where required on allocated sites, to secure the allocated uses.
PN4	Part (b) requires in each of the two primary shopping areas (defined on the Policies Map) no fewer than 60% A1 units, to be in A1 use, no more than 25% food and drink (A3/A4/A5) and no more than	To enhance the vitality and viability of Streatham major town centre by supporting development for new housing, retail, leisure, officer and workspace for creative and digital industries; and by supporting the predominantly retail function of	Class E removes the ability to differentiate the uses that now fall within it, and therefore to limits the Council's ability to manage the mix of ground floor uses in town centres, including in primary	Maintain the overall policy approach. In part (b) remove reference to old use classes, and require new development to contribute to the function

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	<p>2 in 5 consecutive food and drink uses. Outside of the two primary areas ground floor uses should be A, D or B1 use class. No more betting shops or payday loan shops will be supported across the centre as a whole.</p> <p>Part (c) safeguards Gleneldon Mews as an importance location for light industrial uses and small businesses.</p> <p>In part (g), at Streatham Hill, the council will support the regeneration of the former Streatham Hill theatre to become a major leisure and entertainment venue alongside workspace for creative and digital industries. At Streatham Central, mixed-use development including, residential, office and ground-floor active frontages will be supported.</p>	<p>the primary shopping areas. Streatham is a very long town centre and this provides a focus for key retail uses, supporting clustering; although the area of the primary shopping areas is proposed to reduce to enable greater flexibility elsewhere in the centre.</p> <p>This is consistent with NPPF paragraphs 8, 9, 20, 23, 80, 81, 82, 85, 91 and 92 and in general conformity with London Plan policies SD6, SD7, SD8, SD9, E1, E2, E9, HC5 and HC6.</p>	<p>shopping areas as required by the NPPF. This may harm the regeneration of the town centre.</p> <p>The flexibility within Class E also limits the ability to protect clusters of light industrial space such as at Gleneldon Mews.</p>	<p>of the primary shopping areas by providing a proportion of retail units. Outside of the primary shopping areas support any Class E use.</p> <p>No change to parts (c) or (g). Make clear the Council's intention to use conditions and/or planning obligations where necessary and justified to limit uses consented within Class E in order to achieve the policy objectives.</p>
PN5	Part (b) requires no less than 50% per cent A1 in the primary shopping area (defined on the Policies Map).	To protect and maintain the role of Clapham as a district centre, and to limit further growth in the existing concentration of food and drink uses which can harm	Class E removes the ability to differentiate between retail, restaurants and the other uses that fall within it. This limits the Council's	In part (b) remove reference to old use classes but continue to require new development to contribute to the

Policy number	Policy objectives and approach	Rationale (including consistency with national policy and general conformity with London Plan)	Impact of UCO changes	Proposed way forward
	<p>Part (c), no more than 25% food and drink uses (A3/A4/A5) across the centre as a whole and no more than 2 in 5 consecutive units in food and drink use.</p> <p>Part (d) permits no additional A4 (pubs and bars) and A5 (hot food takeaway) uses.</p>	<p>residential amenity. The Council has also designated a licensing 'cumulative impact zone'. This is consistent with NPPF paragraphs 8, 9, 20, 23, 85, 91 and 92 and in general conformity with London Plan policies SD6, SD7, SD8, E9 and HC6.</p>	<p>ability to manage the mix of uses in different parts of town centres, or to require a critical mass of retail in a primary shopping area. However, Class E provide for greater flexibility elsewhere in the centre. A4 and A5 uses are now <i>sui generis</i>, which does allow for continued management through development plan policy.</p>	<p>function of the primary shopping area by providing a proportion of retail units.</p> <p>In part (c) maintain the objective, to align with licensing approach, but remove old use class references. No change to part (d) other than to remove old use class references.</p> <p>Make clear the Council's intention to use conditions and/or planning obligations where necessary and justified to limit uses consented within Class E in order to achieve the policy objectives.</p>
PN6	<p>Part (a) safeguards and encourages retail uses. Within the primary shopping area (defined on the Policies Map) no fewer than 50 per cent of original ground-floor units should be in A1 retail use.</p>	<p>To support the role of Stockwell as a district centre with a clear and distinguishable community focus and heart, ensuring that the function of the primary shopping area as an area where retail uses are concentrated is maintained; and to support growth in creative and digital</p>	<p>Class E removes the ability to differentiate between retail, restaurants and the other uses that fall within it. This limits the Council's ability to manage the mix of uses in different parts of town centres, or to require a critical mass of retail in a</p>	<p>In part (a) remove reference to old use classes but continue to require new development to contribute to the function of the primary shopping area by providing a proportion of</p>

Policy number	Policy objectives and approach	Rationale (including consistency with national policy and general conformity with London Plan)	Impact of UCO changes	Proposed way forward
	Part (d) encourages commercial, civic and other employment uses, particularly small business space suitable for creative and digital industries.	industries. This is consistent with NPPF paragraphs 8, 9, 20, 23, 81, 82, 85, 91 and 92 and in general conformity with London Plan policies SD6, SD7, SD8, E2, E9 and HC5.	primary shopping area. However, Class E provide for greater flexibility elsewhere in the centre, including for small business space.	retail units. No change to part (d). Make clear the Council's intention to use conditions and/or planning obligations where necessary and justified to limit uses consented within Class E in order to achieve the policy objectives.
PN7	Part (b) requires no less than 50% A1 retail in the primary shopping area (defined on the Policies Map). Also throughout the centre as a whole there should be no more than 15% and no more than 2 in 5 consecutive A5 uses; and no more betting shops are permitted. In part (f)(i), the West Norwood Central Retail Area is promoted for mixed-use development, including housing. New commercial floor-space must provide opportunities for creative and digital industries and any redevelopment must improve	To promote the role of West Norwood/Tulse Hill as a vibrant district centre by defining a primary shopping area and increasing workspace, education uses, community facilities, cultural uses and housing. Also to limit the proliferation of take-ways and betting shops which harm town centre vitality. This is consistent with NPPF paragraphs 8, 9, 20, 23, 81, 82, 85, 91 and 92 and in general conformity with London Plan policies SD6, SD7, SD8, E2, E9 and HC5. The de-designation of part of Norwood High Street will help consolidate retail uses in the remaining part of the town centre	Class E removes the ability to differentiate between retail and the other uses that now fall within that class. This limits the Council's ability to support primary shopping areas, as required by the NPPF. Hot food takeaways are now <i>sui generis</i> ; no change to betting shops (also <i>sui generis</i>). Light industrial uses (make space) falls in Class E but is supported outside of town centre locations, in this case in the de-designated part of	In part (b) remove reference to old use classes but continue to require new development to contribute to the function of the primary shopping area by providing a proportion of retail units. Maintain policy approach to take-aways and betting shops. No change to wording of part (f). Make clear the Council's intention to use conditions and/or planning obligations to limit uses consented

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	<p>the vitality and vitality of the town centre as a whole.</p> <p>In part (f)(iii) Norwood High Street (south of the railway line) is designated as a Creative Business Cluster to redefine and revitalise its role for creative and digital industries. Ground floor workspace for makers and creative and digital industries will be supported, including a range of typologies. Ancillary sales/display space or meeting spaces will also be supported.</p>	and will support the growth of creative and digital industries in accordance with London Plan policy HC5.	Norwood High Street. Unrestricted, new Class E uses would be able to change to main town centre uses in this location, thus undermining the policy objective of consolidating town centre uses within the town centre. It will therefore be necessary to use conditions and/or planning obligations to limit new Class E uses consented within the Creative Business Cluster.	within Class E in order to achieve the policy objectives.
Site 18	Allocates land at 286-362 Norwood Road for retail-led mixed use development including residential.	To provide a sufficient supply of land for town centre uses and housing in this town centre location, consistent with NPPF paragraphs 20, 23, 80 and 81 and in general conformity with London Plan policies SD6, SD10, H1 and E9.	Retail now falls within Class E, which removes the ability to prevent a move to other uses within that class. The site allocation does not make reference to specific use classes.	No change to the wording of the allocation required. Make clear the intention to use conditions and/or planning obligations to limit uses within use classes where required on allocated sites, to secure the allocated uses.
PN8	Part (e) seeks to improve the quality and extent of shopping and other appropriate town centre uses within the area and local centres, including appropriate re-use of the Oval House Theatre, as well as sites	To support growth in Kennington/Oval as an important residential and employment area while enhancing the quality of its existing well-defined character and sense of place.	See ED11 for the impact on policy for local centres. There are no references to specific use classes in PN8.	No change to policy wording or approach required.

Policy number	Policy objectives and approach	Rationale (including consistency with national policy and general conformity with London Plan)	Impact of UCO changes	Proposed way forward
	in the wider area, to improve the range and quality of employment and housing.	The approach to local centres in Kennington/Oval is consistent with the approach in ED11, which will apply. This is consistent with NPPF paras 8, 9, 20, 23, 85, 91 and 92 and in general conformity with London Plan policies SD6, SD7, SD8 and E9.		
PN9	<p>Part (a) safeguards and encourages retail uses and other appropriate town-centre activities, including housing. Within the primary shopping area (defined on the Policies Map), requires no less than 50% A1 retail uses and no more than 25% A3/A4/A5 food and drink uses. Outside of the primary shopping area, no more than 2 in 5 consecutive original ground floor units should be in A3/A4/A5 food and drink.</p> <p>Part (h) supports the growth of the creative and digital industries in the Brixton Creative Enterprise Zone (CEZ), which includes Herne Hill.</p>	<p>To support the role Herne Hill as a small community-focussed district centre. Supports the function of the primary shopping area as an area where retail uses are concentrated; seeks to manage night-time economy uses; and acknowledges Herne Hill's location within the Creative Enterprise Zone. This is consistent with NPPF paragraphs 8, 9, 20, 23, 81, 82, 85, 91 and 92 and in general conformity with London Plan policies SD6, SD7, SD8, E2, E9, HC5 and HC6.</p> <p>The growth of the CEZ is supported in accordance with London Plan policy HC5 and E2.</p>	<p>Class E removes the ability to differentiate between retail, restaurants and the other uses that now fall within that class. This limits the Council's ability to support primary shopping areas, as required by the NPPF, and to manage food and drink uses. A4 and A5 are now sui generis, which allows for management through development plan policy.</p> <p>Lack of control within Class E may result in the loss of creative and digital industries in the CEZ, undermining its objectives.</p>	<p>In part (a) remove references to old use classes but require new development to contribute to the function of the primary shopping area, providing a proportion of space for retail and restaurant use. Amend the approach to management of food and drink uses to reflect new classes. No change to wording in part (h).</p> <p>Make clear the Council's intention to use conditions and/or planning obligations to limit uses consented within Class E in order to achieve the policy objectives.</p>

Policy number	Policy objectives and approach	Rationale (including consistency with national policy and general conformity with London Plan)	Impact of UCO changes	Proposed way forward
PN10	<p>Part (a) supports improvements to the local centre's retail and leisure offer so residents can access essential services within walking or cycling distance of their homes and supports proposals that enhance and growth of creative and digital industries in the Brixton Creative Enterprise Zone.</p> <p>Part (f) identifies the opportunity to comprehensively refurbish and convert the Rathgar Road railway arches (outside the town centre) and associated public realm to achieve a mix of space for small businesses that includes B1 workspace and maker space; community facilities; and cafes and restaurants that complement the nearby local centre. The policy includes specific requirements for no fewer than six railway arches for B/D class use and no more than six rail railway arches are for A class uses.</p>	<p>To support the role of Loughborough Junction as a local centre with a clear identity and sense of place. The approach to the Loughborough Junction local centre is consistent with the approach in ED11 (which will apply) and takes a positive and flexible approach to the growth, management and adaption of the local centre. This is consistent with NPPF paragraphs 8, 9, 20, 23, 81, 82, 85, 91 and 92 and in general conformity with London Plan policies SD6, SD7, SD8, E2, E4, E9 and HC5.</p>	<p>See ED11 for the impact on policy for local centres.</p> <p>Unrestricted flexibility between uses in Class E limits the ability to control the mix of uses in specific locations such as the Rathgar Road railway arches, may result in the loss of light industrial uses in Loughborough Junction's yards, and may result in main town centres uses outside of the local centre. This undermining key policy objectives including the town centre first principle.</p>	<p>No change to wording in part (a). In part (f) maintain the policy approach but remove references to old uses classes and refer to types of use instead.</p> <p>Make clear the Council's intention to use conditions and/or planning obligations to limit uses consented within Class E in order to achieve the policy objectives.</p>

Policy number	Policy objectives and approach	Rationale (including consistency with national policy and general conformity with London Plan)	Impact of UCO changes	Proposed way forward
PN11	<p>Part (a) safeguards and encourages retail uses and requires in the primary shopping area (defined on the Policies Map) no less than 50% A1 and no more than 25% A3/A4/A5 food and drink uses.</p> <p>Part (f) protects Cooper's Yard Studios for cultural, creative and digital uses.</p>	<p>To support the role of Upper Norwood/Crystal Palace as a district centre to safeguard and encourage retail uses and other appropriate town-centre uses, including housing.</p> <p>Supports the function of the primary shopping area as an area where retail uses are concentrated. Supports growth in the cultural, creative and digital sectors. This is consistent with NPPF paragraphs 8, 9, 20, 23, 81, 82, 85, 91 and 92 and in general conformity with London Plan policies SD6, SD7, SD8, E2, E4, E9 and HC5.</p>	<p>Class E removes the ability to differentiate between retail, restaurants and the other uses that now fall within that class. This limits the Council's ability to support primary shopping areas, as required by the NPPF, and to manage food and drink uses. A4 and A5 are now <i>sui generis</i>, which allows for management through development plan policy.</p> <p>Unrestricted flexibility within Class E may result in the loss of space for creative and digital industries in Cooper's Yard, undermining the policy objectives.</p>	<p>In part (a) remove references to old use classes but require new development to contribute to the function of the primary shopping area, providing a proportion of space for retail and restaurant use. Amend the approach to management of food and drink uses to reflect new classes. No change to wording in part (f).</p> <p>Make clear the Council's intention to use conditions and/or planning obligations to limit uses consented within Class E in order to achieve the policy objectives.</p>