

Statement Regarding Compliance with Basic Conditions and Other Provisions

This statement relates to the referendum on the Kennington, Oval and Vauxhall (KOV) Neighbourhood Plan, to be held on Thursday 11 December 2025.

The Neighbourhood Planning (Referendums) Regulations 2012, Regulation 4, clause (3)(b), requires a statement to be published to say that the local planning authority are satisfied that the draft neighbourhood plan meets the basic conditions relating to neighbourhood planning and complies with provision made by or under sections 38A and 38B of the Planning and Compulsory Purchase Act 2004. This document fulfils that requirement.

The London Borough of Lambeth is satisfied that the draft Kennington, Oval and Vauxhall Neighbourhood Plan meets the basic conditions and other provisions made under the 2004 Act. The tables below set out the council's reasons for reaching this conclusion.

Compliance with the Basic Conditions

Legislation	Basic condition	Met?	Officer comment
Paragraph 8(2)(a) of Schedule 4B to the 1990 Act	Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood development plan (NDP).	Yes	Proposed modification PM6 changes the draft KOV NP Policy KOV3(B) from stating that proposals for a change of use resulting in the loss of shops would require a contribution to the improvement of the immediate public realm to stating instead that only proposals for major development in local centres and on neighbouring sites will be expected to contribute to the improvement of the immediate public realm. This brings the policy in line with the requirements in Regulation 122 of the Community Infrastructure Levy Regulations 2010 which states that planning obligations must be (a) necessary to make a development acceptable in planning terms, (b) directly related to the development, and (c) fairly and reasonably related in scale and kind to the development. As a result of this modification, it is considered that the draft KOV NP as modified has regard to national policies and advice contained in guidance issued by the Secretary of State and therefore it meets this basic condition.
Paragraph 8(2)(d) of Schedule 4B to the 1990 Act	The making of the NDP contributes to the achievement of sustainable development.	Yes	The Basic Conditions Statement prepared by the KOV Neighbourhood Forum contains an assessment of each draft KOV NP policies against the economic, social and environmental principles of sustainable development. This statement concludes that the making of the draft KOV NP contributes to the achievement of sustainable development. Council officers agree with this conclusion and consider that the draft KOV NP with the proposed modifications set out in Appendix 3 contributes to the achievement of sustainable development by: • Protecting important local green spaces (policy KOV1); • Promoting measures to improve air quality and identifying 'greenways' as pedestrian routes with reduced traffic, air pollution and noise (policy KOV2);

			• Encouraging the retention of local shops (policy KOV3); • Requiring improvements to the public realm around major developments in town centres (through proposed modification PM6 to policy KOV3); • Safeguarding important community facilities (policy KOV4); and • Protecting important views of key landmarks and buildings (policy KOV5).
Paragraph 8(2)(e) of Schedule 4B to the 1990 Act	The making of the NDP is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).	Yes	None of the policies included in the draft KOV NP are considered to contradict strategic policies included in the Lambeth Local Plan (2021) or the London Plan (2021). It is therefore considered that the making of the draft KOV NP with the proposed modifications included in Appendix 3 is in general conformity with Lambeth's development plan.
Paragraph 8(2)(f) of Schedule 4B to the 1990 Act	The making of the NDP does not breach and is otherwise compatible with EU obligations. Relevant EU obligations are: Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment (often referred to as the Strategic Environmental Assessment (SEA Directive)). Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora and Directive 2009/147/EC on the conservation of wild birds (often referred to as the Habitats and Wild Birds Directives respectively). Other European directives, such as the Waste Framework Directive (2008/98/EC), Air Quality Directive (2008/50/EC) or the Water Framework Directive may apply to the particular circumstance of a draft neighbourhood plan (Planning Practice	Yes	A Strategic Environmental Assessment (SEA) screening report on the draft KOV NP and a later addendum were prepared by the Council in July 2024 and February 2025 respectively. Both concluded that the draft KOV NP would not have significant environmental effects and therefore a full Strategic Environmental Assessment (SEA) would not be required. This conclusion was reached in consultation with Historic England, Natural England, and the Environment Agency. It is considered that, due to the nature of the modifications proposed, the draft KOV NP as modified will continue to have no significant environmental effects. The Habitats Regulations (HR) Screening Assessment of the draft KOV NP produced by the Council and most recently updated in February 2025 did not identify any likely significant effect or impact on the integrity of any of the four European sites located within 10km of Lambeth. As a result, it was concluded that an Appropriate Assessment stage was not required, to which the Environment Agency or Natural England did not provide any further comments. This conclusion was also agreed by the Examiner in their report. It is not considered that the proposed modifications to the draft KOV NP alter the position of the Screening Assessment in relation to the European sites. The draft KOV NP does not include any policies in relation to the management of waste (nor does the KOV Neighbourhood Area include any waste

	Guidance Paragraph: 078 Reference ID: 41-078-20140306). Note: compatibility with the European Convention on Human Rights is considered separately in the body of the report.		management site) or water quality. Although the draft KOV NP includes a policy on air quality, it is not considered that the policies in the draft KOV NP breach the Air Quality Directive. Officers have not identified any other relevant EU directives. It is therefore concluded that the making of the draft KOV NP as proposed to be modified does not breach and is otherwise compatible with EU obligations.
Paragraph 8(2)(g) of Schedule 4B to the 1990 Act	Prescribed conditions are met in relation to the NDP and prescribed matters have been complied with in connection with the proposal for the NDP. Regulation 32 of the Neighbourhood Planning (General) Regulations 2012 sets out an additional relevant basic condition to those set out in the primary legislation. Regulation 32 applies to neighbourhood plans: The making of the neighbourhood plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2012) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c) Regulations 2007) (either alone or in combination with other plans or projects)		As set out above, the HR Screening Assessment found that the draft KOV NP is unlikely to have adverse effects on the four European located within 10km of Lambeth or adversely impact their integrity. As a result, it was concluded that an Appropriate Assessment stage would not be required. No further comments on this conclusion were provided by the Environment Agency or Natural England. The Examiner also agrees with the conclusion reached in the HR Screening Assessment in their report. It is considered that the HR Screening Assessment remains valid in light of the proposed modifications to the draft KOV NP. As a result it is considered that to the extent that the making of the draft KOV NP as modified is not likely to have a significant effect on a European site.

Compliance with Other Provisions

Requirement	What the requirement involves	Provisions made by or under Sections 38A and 38B of the Planning and Compulsory Purchase Act 2004	Complied with?	Officer comment
Body preparing and submitting a neighbourhood development plan (NDP) for examination	Needs to be a qualifying body (i.e., a designated neighbourhood forum) for an area that has been properly designated by the local planning authority.	Planning and Compulsory Purchase Act 2004 S38A(1) Town and Country Planning Act 1990 Schedule 4B paragraph 6(2)(a) and (b) See also Town and Country Planning Act 1990 S61F: designation requirements for neighbourhood forums; S61G: designation requirements for neighbourhood areas.	Yes	The Kennington, Oval and Vauxhall Neighbourhood Forum ('the KOV Neighbourhood Forum' or 'the Forum') was originally designated by Lambeth on 13 July 2015 and re-designated on 11 June 2021. The Kennington, Oval and Vauxhall Neighbourhood Area ('the KOV Neighbourhood Area' or 'the Neighbourhood Area') was designated at the same time as the Forum, on 13 July 2015.
Definition of an NDP	A NDP is a plan which sets out policies (however expressed) in relation to the development and use of land in the whole or any part of a particular neighbourhood area specified in the plan.	Planning and Compulsory Purchase Act 2004 S38A(2) Town and Country Planning Act 1990 Schedule 4B paragraph 6(3) applies the requirements in Planning and Compulsory Purchase Act 2004 SS38A-B to neighbourhood development plans; S38C modifies the application of Town and Country Planning Act 1990 in relation to neighbourhood development plans	Yes	The draft Kennington, Oval and Vauxhall Neighbourhood Plan ('the draft KOV NP') meets the definition of a NDP and contains policies in relation to the development and use of land within the KOV Neighbourhood Area. No modifications to the draft KOV NP are proposed in this respect.

Scope of NDP provisions	The NDP specifies the period during which it is to have effect.	Planning and Compulsory Purchase Act 2004 S38B(1) and (2)	Yes	The draft KOV NP specifies the period for which it is to have effect: from adoption until 2035. No modifications to the draft KOV NP are proposed in this respect.
Scope of NDP provisions	The NDP does not include provisions or policies for development that is defined as 'excluded development'.	Planning and Compulsory Purchase Act 2004 S38B(1) and (2) See also Town and Country Planning Act 1990 S61K: definition of 'excluded development' (essentially minerals, waste development, Annex 1 EIA projects and nationally significant infrastructure)	Yes	The draft KOV NP does not contain any provision for excluded development. No modifications to the draft KOV NP are proposed in this respect.
Scope of NDP provisions	The NDP is the only NDP for the neighbourhood area.	Planning and Compulsory Purchase Act 2004 S38B(1) and (2)	Yes	There is no other NDP for the KOV Neighbourhood Area.
Scope of NDP provisions	The NDP does not relate to more than one neighbourhood area.	Planning and Compulsory Purchase Act 2004 S38B(1) and (2)	Yes	The draft KOV NP relates only to the KOV Neighbourhood Area. No modifications to the draft KOV NP are proposed in this respect.