

# **Report to the Council of the London Borough of Lambeth**

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Inspector appointed by the Secretary of State

Date 03 March 2026

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Planning and Compulsory Purchase Act 2004 (as amended)

Section 20

## **Report on the Examination of the London Borough of Lambeth Site Allocations Development Plan Document**

The Plan was submitted for examination on 31 October 2024

The examination hearings were held between 18 February and 6 March 2025

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## Abbreviations used in this report

AA	Appropriate Assessment
BREEAM	Buildings Research Establishment Environmental Assessment Method
BCEZ	Brixton Creative Enterprise Zone
CAZ	Central Activities Zone
DE	Design Evidence
DtC	Duty to Co-Operate
Framework	National Planning Policy Framework
GLA	Greater London Authority
HRA	Habitats Regulations Assessment
HE	Historic England
IDP	Infrastructure Delivery Plan
LLP	Lambeth Local Plan 2021
LP	London Plan
MM	Main Modification
NDG	National Design Guide
NMDC	National Model Design Code
PPG	Planning Practice Guidance
PTAL	Public Transport Accessibility Level
SADPD	Site Allocations Development Plan Document
SA	Sustainability Appraisal
SCI	Statement of Community Involvement
SCG	Statement of Common Ground
SFRA	Strategic Flood Risk Assessment
SHLAA	Strategic Housing Land Availability Assessment
SPD	Supplementary Planning Document
TfL	Transport for London
WMS	Written Ministerial Statement
WHS	Westminster World Heritage Site

## Non-Technical Summary

This report concludes that the Lambeth Site Allocations Development Plan Document (SADPD) provides an appropriate basis for the planning of Lambeth, provided that a number of Main Modifications (MMs) are made to it. The Council of the London Borough of Lambeth has specifically requested that I recommend any MMs necessary to enable the SADPD to be adopted.

The MMs all concern matters that were discussed at the examination hearings. Prior to and following the hearings, the Council prepared a schedule of the proposed MMs and, where necessary, carried out a Sustainability Appraisal (SA) and Habitat Regulations Assessment of them (HRA). Prior to consultation on the MMs during the summer of 2025 a 4-week public consultation period was carried out on the issue of reasonable alternatives within the SA.

The MMs were subject to public consultation over an 8-week period. In some cases, I have amended their detailed wording and/or added consequential modifications where necessary. I have recommended their inclusion in the SADPD after considering the SA, HRA and all the representations made in response to the consultation on them.

The MMs can be summarised as follows:

- Adjustments to ensure that development management policies are justified, consistent with national policy and effective.
- Changes to ensure that allocations would be effective and consistent with national policy.
- MMs to ensure that the SADPD is consistent with the LLP and in general conformity with the LP and that its policies in these respects are effective, justified and consistent with national policy.
- MMs to site allocations to ensure that the policy wording is clear, precise and effective.
- MMs to ensure adequate and effective monitoring of the SADPD and its policies.
- A number of other modifications to ensure that the SADPD is positively prepared, justified, effective and consistent with national policy.

## Introduction

1. This report contains my assessment of the SADPD in terms of s20(5) of the Planning and Compulsory Purchase Act 2004 (as amended) (the 2004 Act). It considers first whether the SADPD's preparation has complied with the DtC. It then considers whether it is compliant with other legal requirements and whether it is sound.
2. Soundness tests for local plans are set out in the Framework. As per Annex 1 of the Framework published on 12 December 2024 (as amended), the policies of the previous version of the Framework apply to the examination of the SADPD. The regulation 19 consultation commenced on 8 March 2024 and accordingly the relevant previous version is September 2023. Within this report, all references to the Framework are to that version. Similarly, the version of the PPG as it existed immediately prior to the publication of the new Framework provides advice relevant to this examination.
3. The Framework at paragraph 35 establishes that in order to be sound, a local plan should be positively prepared, justified, effective and consistent with national policy. Moreover, this SADPD is required to be in general conformity with the LP (per s24 of the 2004 Act).
4. The starting point for the examination is the assumption that the local planning authority has submitted what it considers to be a sound plan. The SADPD, submitted in October 2024 is the basis for my examination. It is the same document as was published for consultation on 8 March 2024 and subject to a further 8-week consultation period on 18 June 2024 to rectify an IT error in sending incorrect notification emails.

## Main Modifications

5. In accordance with s20 (7C) of the 2004 Act, the Council requested that I should recommend any MMs necessary to rectify matters that make the SADPD unsound and/or not legally compliant and thus incapable of being adopted. My report explains why the recommended MMs are necessary. Following the examination hearings, the Council prepared a schedule of proposed MMs (LPA ref: MM02) and carried out further sustainability and habitats appraisals, where necessary (LPA ref: MM03). The MMs schedule was subject to public consultation for 8 weeks between 1 September and 27 October 2025.
6. I have taken account of consultation responses on the MMs in coming to my conclusions in this report. In this regard, I have made some limited amendments to the detailed wording of the MMs where these are necessary for consistency or effectiveness. None of the amendments significantly or materially alters the content of the MMs as published for consultation or undermines the

participatory processes and appraisals that have been undertaken. Where necessary I have highlighted these amendments in the report.

7. The MMs are referenced in bold in the report in the form **MM01**, **MM02** etc, and are set out in full in the annex.

## Policies Map

8. The Council must maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, the Council is required to provide a submission policies map showing any changes that would result from the proposals in the submitted plan (Document reference: SD04).
9. The Policies Map is not defined in statute as a development plan document and so I do not have the power to recommend MMs to it. In this case, the submission Policies Map comprises the set of plans identified (Submission Document SD04). I have not identified any further changes necessary to the Policies Map as a result of the recommended MMs. If the SADPD is adopted, in order to comply with the legislation and give effect to the Plan's policies, the Council will need to update the adopted Policies Map to include the changes proposed.

## Context of the Plan

10. If adopted, the SADPD will be part of the statutory development plan for Lambeth, alongside the Lambeth Local Plan (LLP), the LP and the South Bank and Waterloo Neighbourhood Plan 2019 and the Kennington, Oval and Vauxhall Neighbourhood Plan 2026. The SADPD adds site-specific policies to those already in the LLP. The Borough's ability to meet its LP housing target was demonstrated through the examination in 2021 of the LLP. However, Policy H1 of the LLP includes a requirement to bring forward a SADPD to provide detailed policy for key sites, based on a design led assessment of capacity
11. The principal objective of the SADPD is to unlock investment to provide benefits to local residents through the mechanism of site-specific planning policy. It will support implementation of wider Council strategies included in the LLP including the Economic Resilience Strategy, Transport Strategy, Kerbside Strategy and Climate Action Plan amongst other things. The new site allocation policies are therefore intended to accelerate delivery of housing in the Borough, maintain the necessary pipeline of new housing and thereby ensure housing delivery targets of the LLP continue to be achieved whilst encouraging investment in the Borough.

12. The SADPD includes policies for 13 sites, distributed across the Borough. Of these sites, 3 have existing allocations in the LLP: Royal Street (site 1); Gabriel's/Princes Wharf (site 9) and Norwood Road (site 18). These existing allocations will be superseded on adoption of the SADPD. The other existing allocations within the LLP will not be superseded, are unaffected by the SADPD and will remain as they are in that plan.

## **Public Sector Equality Duty**

13. Throughout the examination, I have had due regard to the equality impacts of the SADPD in accordance with the Public Sector Equality Duty contained in Section 149 of the Equality Act 2010. This, amongst other matters, sets out the need to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not.
14. Whilst I have had due regard to relevant equalities aspects throughout the examination, I note particularly here my approach to the SADPD's provisions relating to housing mix, tenures and standards to meet a diverse range of needs in the Borough; and modifications to ensure that safe and secure access to sites would be provided for all users. My findings in relation to those matters are set out in subsequent sections of this report. However, at this point, and against this background, the recommended MMs on these and other issues seek to minimise any disadvantages of those with protected characteristics in a manner consistent with the Public Sector Equality Duty.

## **Assessment of Duty to Cooperate**

15. The Levelling Up and Regeneration Act 2023 does not include the DtC. As such, it will not be a legal requirement for plan making once the regulations are in place in 2026. I have also considered the recent WMS on Local Plans issued on 27 November 2025 but given the advanced stage the examination has reached, at the time of writing this report Section 20(5)(c) of the 2004 Act continues to exist. I have therefore considered whether the Council complied with any duty imposed on it by section 33A in respect of the SADPD's preparation.
16. The Borough is part of Greater London and is a neighbour to seven London Boroughs. The strategic tier of planning is therefore substantially covered by the LP, including in terms of setting ten-year housing requirements. A number of strategic matters relevant to the SADPD include housing, economic growth, flood risk management, travel, transport and green infrastructure. As discussed in further detail below, the SADPD deals with the allocation of sites to meet relevant requirements set out in the LLP and includes new and amended allocations. It also provides a suite of development management policies, including those relating to amount, uses, design, access, living conditions, obligations and flooding, amongst other things.

17. The DtC statement (Document reference: SD 11) provides an overview of the engagement with all prescribed bodies, neighbouring Boroughs and the Western Riverside Waste Authority. It clearly sets out how the Council has worked with appropriate bodies on strategic matters affecting the Borough following adoption of the LLP. The Council has agreed SCG with neighbouring Boroughs and other prescribed bodies having regard to previously agreed SCG with neighbouring Boroughs and some other relevant bodies, including the GLA and HE when preparing its LLP. The majority of these existing agreements remain in place and consider a wide range of strategic matters including housing need, employment, retail, leisure and other commercial, health, education, transport, air quality, climate change, heritage design and strategic and local views, amongst other things set out in the LLP.
  
18. One of the key considerations is whether there are any strategic matters including sustainable development that would have significant wider impacts to be considered in the making of this plan. The SADPD has provided an opportunity to revisit these issues and co-operation has helped to shape the policies in the SADPD. Positive engagement through the DtC has resulted in regular exchanges of information and informed consideration and changes in terms of the site allocations, local and strategic views, need for care home places, water quality and biodiversity and the consideration of heritage and tall building impacts, amongst other things.
  
19. There has been appropriate involvement throughout the preparation stage and this has assisted with resolving cross-boundary strategic matters and cross border impacts where relevant. For example, the SADPD was updated to reflect comments raised on wider heritage, design and specialist accommodation needs identified in discussion with Southwark LBC and HE. Further, the SADPD will deliver social infrastructure, including new and improved health care facilities of strategic importance (site allocations 1, 2, 9, 17, and 24), alongside other improvements to London's infrastructure. Positive engagement has taken place with the necessary infrastructure providers, such as the Integrated Care Board and Transport for London on an ongoing basis.
  
20. Consequently, the evidence demonstrates that the Council has made considerable efforts to engage with all relevant organisations and prescribed bodies throughout the SADPD's preparation. It is consistent with the approach to maintaining effective cooperation as required by the DtC and set out in the Framework and none of the prescribed bodies or other relevant organisations have indicated that they are dissatisfied with their liaison with the Council. On the evidence before me the Council has engaged constructively, actively and on an on-going basis in the preparation of the SADPD and that the DtC has therefore been met.

## Assessment of Other Aspects of Legal Compliance

21. The current Local Development Scheme (LDS) was adopted on 16 May 2024 (examination document SD01). The LDS describes the SADPD as 'site allocations associated with the adopted Lambeth Local Plan 2021' – the scope of the SADPD is in line with this description. The Council put together a Consultation and Engagement Plan outlining the approach to the Regulation 18 Consultation which was approved at a Cabinet meeting on 13 December 2021. As part of this plan a stakeholder mapping exercise was carried out considering ways of broadening participation.
22. The SADPD has been prepared in accordance with the Council's LDS. The Council's Regulation 22(1)(c) Statement of Consultation demonstrates how the consultation carried out during the various stages of plan preparation followed the Council's adopted SCI. The representations received during the consultation stages helped to inform my identification of the main soundness issues and questions for the hearings. Those who made qualifying representations were also able to participate in the examination and at the hearings.
23. In line with the SCI, an effort was made to also engage those who may be affected by the proposals in the SADPD but who do not normally play an active role in most consultations, including young people, people from Black and ethnic minority groups, and those in more disadvantaged socio-economic groups. Beyond the legally required consultation arrangements, the Council implemented some of the optional measures included in Table 1 of the SCI at regulation 18 and 19 stages but no optional measures beyond those statutorily required were undertaken at publication stage (regulation 22).
24. Representations have been made that the consultation period and process was inadequate. The regulation 18 consultation on the SADPD was held in January/February 2022; two regulation 19 consultations were held between March-May 2024 and June-August 2024; and the SADPD was submitted to the Secretary of State in October 2024. These dates broadly reflect the current LDS timetable (see Table 2 of the LDS), although the need for a second regulation 19 consultation to address an IT error in the first means that submission was delayed until Q3 of 2024/25, rather than Q2 as stated in the LDS. For the avoidance of doubt I have taken into account comments made from both periods.
25. There is nothing in the Town and Country Planning (Local Planning) (England) Regulations 2012 (the 2012 regulations) or the Council's SCI which requires more targeted consultation with residents in the environs of particular sites. Consequently, it follows that, in the absence of such targeted actions, the consultation process was adequate and accorded with the SCI and the 2012 regulations.

26. Ultimately, representations were made in relation to the allocations included in the SADPD and related compliance matters, with sufficient time given for relevant site-specific matters to be discussed at public hearing sessions. It is relevant too that a number of the representors who drew these issues to the Council's attention have been fully involved in the examination, including in relation to legal compliance and soundness matters. Overall, no material prejudice has occurred as a result of their perception of difficulties in accessing the documents and involvement and participation in the examination process.

### Sustainability Appraisal

27. The Council carried out a SA of the SADPD, prepared a report of the findings of the appraisal, and published the report along with the SADPD and other submission documents under regulation 19 of the 2012 regulations. The SA uses a framework to appraise the policies of the SADPD against a set of defined objectives which have been adequately justified. The Scoping Report was consulted on between 8 July and 2 September 2020, with relevant comments informing that framework. An addendum to the SA was carried out to assess the MMs which concluded it would not lead to any significant effects that have not already been identified.
28. The SA includes 18 objectives and sets out an appraisal of reasonable alternatives, alongside more detailed consideration of the site allocations. However, in order to fully understand the Council's approach, which had also been subject of significant representations, including at the hearings, a Topic Paper was submitted by the Council which was subject to a further 4-week public consultation period. I have taken the further comments on this issue into account.
29. Identification of reasonable alternatives for each site involved consideration of existing land uses and the relevant LLP and LP policies applicable to the site based on its location and current land uses and on a systematic assessment of designations and policies applying to existing uses and potential uses. The appraisal of alternative policy approaches for each site aims to determine the most sustainable option for the final policy. A detailed appraisal of each site allocation was then undertaken using the framework identifying potential social, environmental and economic effects and recommendations.
30. The choice of sites for inclusion in the SADPD was based on a multi-disciplinary approach and professional judgement of which sites in the Borough would most benefit from an allocation in the SADPD, rather than an assessment of all potential development sites in the Borough. Sites have therefore been included in the SADPD where it is necessary to address site specific circumstances that require consideration of more bespoke approaches to that set out in the LLP.

31. The intention of the SADPD is not to set out an overall approach to housing delivery in the Borough or to allocate each and every site. That requirement is fulfilled by Policy H1 of the LLP. That policy included, but is not limited to, bringing forward a site allocations development plan document to provide detailed policy for key sites based on a design led assessment of capacity in accordance with the LP. The approach of the SADPD is therefore to set out an indicative approach to the development of the allocations based on consideration of land uses, density, design, heritage, access, amenity, transport and other matters relevant to the determination of any future proposals.
32. The selection of particular sites for inclusion in the SADPD should not be read as excluding other sites from coming forward for development. Ultimately if an applicant, using a design led approach to optimising site capacity, were to come forward with a different proposal for any allocation, including retention of buildings it would need to be determined on its merits in accordance with the development plan and NP, if relevant. An example of this is for site allocation 7 which has a current application awaiting determination by the Council. The sites are not therefore 'alternatives' for the purposes of the SA.
33. Representors at the hearing sessions raised concerns regarding a lack of alternative design iterations with, for example, consideration of lower building heights and reduced capacity/density. The Council have prepared design evidence for each allocation (submission documents TP01 to TP03 and DE 01 – DE 24) which set out indicative approaches based on proportionate and well considered design and other analysis showing height, mass and layout informing the design principles within the allocations. This is in general conformity with Policy D3 of the LP.
34. The evidence is intended to be the first stage in a design-led approach to site optimisation and informs the approximate capacity for each site. The evidence should in no way be read or interpreted as the only approach and nothing in the SADPD excludes other schemes on any of the proposed allocations from coming forward. Further, a design led approach requires developments to optimise site capacity not maximise density<sup>1</sup>. A proposal with lower heights, for example would be assessed against the development plan as a whole at the time of decision and would require consideration of whether the proposal represents an alternative way to optimise site capacity and be subject to any other material considerations.
35. However, any alternative option which arbitrarily reduced the capacity from the optimised level may not be in conformity with Policy D3 of the LP. Any alternative option would also need to demonstrate it did not create unacceptable heritage or amenity impacts, but using a different arrangement of building

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<sup>1</sup> London Plan Guidance on Optimising Site Capacity: A Design Led Approach, June 2023.

layouts, heights, and massing would still be entirely possible under the SADPD as it is written and would therefore not be an 'alternative'.

36. In terms of alternative approaches of 'retain', 'retrofit', or 'extend' these are unlikely to achieve the aims and objectives of the SADPD because for the majority of the allocations contain buildings used for uses other than residential that could not feasibly be retrofitted for housing or extended to include additional housing to the extent that they provide an optimisation of site capacity. Other considerations such as viability would also be relevant. Moreover, there would be more complex and challenging design considerations that would likely undermine the objectives by either significantly reducing the amount of housing that could be delivered and undermining delivery because of increased complexity and expense.
37. To provide a meaningful comparison between different options on the basis of embodied carbon and emissions would require a significant level of detail on each building. This would need to include an understanding of the ability of existing buildings to be converted to other uses, the current condition of the fabric of the buildings and the level of repair needed to bring them up to liveable standards, along with the opportunities and constraints to retrofitting sustainability improvements into buildings. This level of detail is more appropriately to be provided and considered at planning application stage. Having regard to paragraph 31 of the Framework that level of detail, given the aims and objectives of the SADPD would not be proportionate.
38. Whilst I accept that some site allocations do contain some elements of built form that possibly could be retained any alternative approach would fall to be assessed against the development plan, as a whole. Accordingly, this is not excluded as an alternative approach to any allocation. The SADPD does not preclude a retrofit approach where it otherwise meets the requirements of the SADPD, and this approach is therefore not an alternative.
39. Overall, the indicative design approach balances the need to deliver housing required in the LLP, with the need to protect heritage assets, amenity and quality of life. The SADPD does not require a specific design approach to be taken to any of the site allocations for the reasons given above.
40. The SA and Scoping Report follows the approach developed for the SA of the LLP in 2021. This is ultimately considered appropriate given that the SADPD is intended to supplement and update the existing site allocation policies within the LLP. The representations on this matter do not alter my view that the method used for the SA provides a reasonably consistent guide that the Council used to help inform its choices about what to include in the SADPD.

41. Production of the SA has been in-step with the various stages of plan-making and has included an assessment of and consultation on, recommended MMs. As modified, the SADPD would contribute positively to Lambeth's sustainable development goals. Considered against the SADPD as a whole, the MMs are not considered to lead to any significant effects that have not already been identified. Therefore, the SADPD is considered to contribute toward sustainable development, and no additional mitigation beyond that already identified is required. It follows that the SA has been a genuinely iterative process. Overall, therefore, I am satisfied that the SA processes have been adequate and the legal requirements of the 2004 Act have been met in regard to the SA.

### Habitats Regulations Assessment

42. The Council's HRA suitably sets out why an appropriate assessment is not necessary. The HRA concludes that the SADPD is unlikely to lead to any significant adverse effects (either alone or in combination) on any European Sites. The HRA process is an iterative one, and in this vein, the Council produced an addendum to the Habitats Regulations Assessment (HRA) (SD08) and its Non-Technical Summary (SD09), both published in January 2024. This document also concludes that appropriate assessment is not necessary.
43. Natural England made no objections to the HRA in responses at Regulation 19 stage or during the examination (including the consultation on the MMs). It is of note that successive Court judgements clarify that advice from Natural England can be accorded significant weight<sup>2</sup>, and I have taken this principle into account in forming my view on this matter. The development plan, taken as a whole, provides further assurance that any necessary mitigation would be secured at the decision-taking stage, based on the broad suite of options that have been presented relating to the allocated sites.
44. The addendum to the HRA to take account of the MMs confirms that the proposed modifications do not materially affect the conclusions of the previous HRA. In particular no new sites have been added, no material changes to the quantum of development, existing habitats remain unaffected and the MMs do not introduce new policies or proposals that would trigger additional pathways for impacts. Overall, the addendum finds no likely significant effects, either alone or in combination.
45. In conclusion, the HRA processes that have supported the SADPD are adequate. I consider soundness aspects relating to the SADPD's approach to biodiversity matters for any of the necessary allocations below.

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<sup>2</sup> Including *R(Wyatt) v Fareham Borough Council & Natural England* [2022] EWCA Civ 983.

## General Conformity with the London Plan

46. The SADPD must be in general conformity with the LP, under the terms of s24 of the 2004 Act. Broadly, and subject to MMs that I recommend, I conclude that the SADPD is in general conformity with the LP. My reasoning on this matter is set out fully throughout this report.

## Other Legal Requirements

47. In accordance with Regulation 8(5) of the 2012 Regulations where plans contain policies that are intended to supersede other policies, they must state that fact and identify the relevant policies. The SADPD achieves this. The SADPD complies with all other relevant legal requirements, including in the 2004 Act (as amended) and the 2012 Regulations. Further reasoning on this, where necessary, is set out further below.

## Conclusion

48. For the reasons set out above I conclude that all relevant legal requirements have been met.

# **Assessment of Soundness**

## **Main Issues**

### Introduction

49. Taking account of all representations, written evidence and the discussions that took place at the examination hearings, I have identified 4 main issues upon which the soundness of the SADPD depends. This report does not respond to every point or issue raised by representors. Nor does it refer to every policy, policy criterion or allocation in the SADPD. Aspects of the SADPD considered to be sound as submitted are not referred to as a matter of course in this report. As the starting point for my examination is the regulation 19 version of the SADPD, all references to policy and paragraph numbers are to those that appear in that iteration.
50. The Framework requires local development documents to identify which policies are 'strategic' and which are 'non-strategic', to assist groups preparing neighbourhood development plans. All the policies in this SADPD are identified as being strategic because they contribute to achieving LLP and LP strategic objectives across the Borough.

## **Issue 1 - Would the SADPD's approach to the scale and distribution of housing and economic growth be consistent with the Lambeth Local Plan and the London Plan?**

### Introduction

51. The SADPD contains a number of allocations relating to a broad range of sites and land uses. The 2012 Regulations define site allocation policies as those which allocate sites for particular uses or developments. The regulation 19 version of the SADPD establishes that site allocations 'set out land use requirements for sites that will contribute to the Borough's growth' (at paragraph 1.1.18).
52. This SADPD adds site-specific policies to those already in the LLP. The SADPD would be read, and policies will be applied, alongside and in conjunction with the rest of the development plan for Lambeth. The purpose is fully set out in the LLP and I consider the approach taken to be sound.

### Trajectory

53. However, the individual site allocations do not indicate expected delivery timelines, and it is therefore not clear when the sites in the SADPD will contribute towards the housing trajectory. Therefore the SADPD is inconsistent with the Framework, which at paragraph 74 requires strategic policies to include a trajectory illustrating the expected rate of housing delivery over the plan period, and all plans should consider whether it is appropriate to set out the anticipated rate of development for specific sites.
54. At the time of the hearings the trajectory was in the process of being updated so a number of MMs are necessary to add expected delivery timescales for the allocations for the period 2030 to 2035 or after 2035. Accordingly, **MM08, MM16, MM21, MM32, MM36, MM41, MM47, MM52, MM60, MM66, MM72, MM78 and MM84** add these timescales to ensure consistency with national policy. For **MM16** this includes clarity that delivery will be as required, in line with the operational needs of the existing healthcare use and providers.

### Conclusion

55. For the reasons set out above, and subject to the MMs I recommend, I conclude that the SADPD's approach to the scale and distribution of housing and economic growth is consistent with the LLP and the LP.

## **Issue 2 – Do the SADPD's site allocations provide a justified and effective basis for decision-making consistent with national policy?**

### Approach

56. The guiding approach that underpins the SADPD is design led optimisation of development capacity. Site selection for the SADPD was informed by the London SHLAA and the Council produced a paper on site selection (examination document: EB 01) underpinned by design and other analysis to create indicative approaches for the development of each allocation. Further locations for housing development and intensification are identified through a range of studies and other documents that supported the production of the SADPD, including the topic papers for the largest allocations and papers on heritage.
57. Design evidence also included proportionate analysis of the optimum mass, scale and height that the Council considers could be achieved on each site, having regard to site-specific planning constraints including impacts on neighbouring uses and occupiers, views, townscape and heritage assets, amongst other things. Building heights would also need to be considered having regard to Policy Q26 of the LLP.
58. Key spatial planning objectives have been factored in and identified for each of the sites. These include strategic place-making and contribution to implementation of the relevant policy for Places and Neighbourhoods; inclusion, accessibility and permeability in the public realm; healthy routes and active travel; community safety; townscape and design quality, including contribution to local distinctiveness; and urban greening. Existing standards of the LLP and other requirements would also need to be adhered to.
59. Concerns and objections were expressed in the representations and orally at the hearings regarding the likely density, form, scale, height, design and impacts from the development of a number of the allocations as indicated in the Council's evidence. In particular objections were made regarding the design and impacts on a variety of heritage assets.
60. However, as set out above the evidence that underpins the approach in the SADPD should not be determined as if it were a planning application as in this examination I am concerned with questions of legal compliance and soundness. The evidence base, in particular what is detailed and well considered design and heritage evidence, which is indicative, would not prevent other proposals from coming forward and being considered on their own merits. The opportunity and challenge in achieving high quality design on such urban sites with a multitude of complex and competing considerations is that there may be

different and ultimately suitable alternative proposals that could still reasonably meet the policy requirements.

61. Any proposal, whether one that followed the Council's approach or provided an alternative would fall to be tested against the development plan and would be subject to the necessary consultation and engagement with all residents, consultees and stakeholders in accordance with the Council's adopted SCI, as updated. Ultimately the approach within the SADPD would allow emerging schemes to make the best use of land by following a design-led approach that is able to optimise the capacity of a site and for a scheme to then be fully scrutinised at the planning application stage.
62. Taken as a whole, the policies provide clarity on expectations relating to design and the impacts of indicative examples, albeit based on detailed design analysis and evidence. It expresses design outcomes that such plans should be looking to achieve, in accordance with the Framework. This has yielded a range of types and sizes of allocations across the Borough consistent with the LLP's overall spatial strategy. The SADPD is therefore based on a robust and thorough approach to site identification and selection of available and suitable sites.

### Format

63. The site allocations in this SADPD are presented in a format that includes contextual information, including area and site-specific maps showing relevant policy designations, constraints and opportunities, a brief statement of the vision for the site, highlighting the opportunity presented by its redevelopment and its potential to contribute to strategic place-making and the requirements and expectations for the site.
64. However, the SADPD is not clear regarding the approach taken to the sites which has informed the parameters of the policies, and that the height, massing and layouts are indicative with each proposal being tested as it comes forward. It therefore fails to reflect supplementary planning guidance that has informed the evidence and is therefore inconsistent with paragraph 134 of the Framework and its requirement to take account of local design guidance. **MM01** is therefore required to add clarification text and in particular reference to the 'Lambeth Design Guide'.
65. For sites 1, 2, 17 and 24 the SADPD is also not consistent with regard to its use of AOD heights between sites and between the policy text and the proposals map. Consequently **MM03, MM05, MM10, MM12, MM34, MM57 and MM80** are necessary for effectiveness and provide consistency regarding height measurements, including on sites where AOD is considered to be a useful measure given site specific topography.

## Heritage Assets

66. The Framework anticipates that plans should set out a positive strategy for the conservation and enjoyment of the historic environment. However, this is in the context of its expectation for policies to be justified and underpinned by relevant and proportionate evidence. Moreover, the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) imposes duties on decision makers to have special regard to preserving listed buildings, their settings and any features of special interest (s16(2) and s66(1)); and to pay special attention to the preservation or enhancement of the character or appearance of conservation areas (s72(1)).
67. The allocations and the indicative forms of re-development set out are made on the basis of there being no harm to the significance of designated and non-designated heritage assets. The policies are clear that in any case where proposals cause harm, and where any necessary balance must be undertaken that the requirements of the Framework in considering potential impacts is required.
68. However, throughout the plan the terminology used and its order with regards to heritage assets, is not consistent with the Framework (section 16), and the overall approach taken to their preservation including with regard to the setting of the WHS and conservation areas, which are not subject to the statutory tests in (72(1)) of the Act. Accordingly, **MM02, MM04, MM09, MM11, MM18, MM26, MM33, MM37, MM42, MM44, MM48, MM56, MM63, MM67, MM74 and MM79** were proposed to secure consistency with national policy in terms of considering the significance and setting for heritage assets.
69. Having considered further representations made at the MM stage I have made further changes to these modifications to, not repeat, but be consistent with the terminology used, in particular in paragraph 206 of the Framework. For **MM02, MM09 and MM11** the changes also amend the terminology to be consistent with the Framework's requirement to sustain and enhance the Outstanding Universal Value of the WHS including any contribution made by setting, and the significance of other designated heritage assets.
70. These do not result in any material change to the application of the policy but instead clarify the approach. Mindful of the representations made throughout the examination, I am satisfied that no prejudice to any party would occur in making these necessary further changes. Subject to the modifications and those elsewhere in this report for specific allocations, the SADPD would set out a positive strategy for the conservation and enjoyment of the historic environment and be effective in terms of consideration of any potential impacts consistent with the LLP, LP and section 16 (conserving and enhancing the historic environment) of the Framework.

## Infrastructure

71. Each of the site allocations follow set criteria. However, the drafting of some of the criteria is imprecise insofar as infrastructure requirements are concerned and as a result, do not accord with the Framework which expects policies to be clearly written and unambiguous, so it is evident how a decision-maker should react to development proposals. A number of themes are common across a number of the allocations (sites 1, 2 and 9) in relation to expectations regarding river transport infrastructure and the approach in the LLP and LP. To ensure clarity and effectiveness **MM06, MM13 and MM28** are required to refer to requirements in Policy SI15 of the LP and Policy T5 of the LLP in terms of water/river transport to be identified through a suitable off street servicing strategy.
72. Site allocations 1 and 2 are inconsistent with LLP and LP expectations for protection of existing open space and use and enjoyment of waterways. As a result, they also fail to achieve consistency with the Framework (at paragraph 92 c)) insofar as the provision of safe and accessible infrastructure is concerned and are not justified. Accordingly, **MM07, MM15 and MM31** are required to refer to protection of existing open space and that development proposals should explore opportunities for new, extended, improved and inclusive access to and from nearby waterways to ensure the policies are effective are justified and consistent with national policy. For allocation 9, reference to availability of Riparian lifesaving equipment is also required to ensure consistency with Policy Q24 of the LP.
73. A number of the allocations are also not effective regarding the expectations for future servicing. In particular the requirement where possible for an off-street servicing strategy including where necessary, servicing linked to last mile distribution and 'just in time' servicing where such servicing utilises cargo bikes minimising the need for vehicular access. Consequently, they are not consistent with the Framework at paragraph 112 and not in general conformity with the LP. Accordingly **MM06, MM19, MM28, MM35, MM39, MM46, MM58, MM64, MM69 and MM75** are necessary for site allocations 1, 7, 8, 9, 17, 18, 20, 21, 22 and 23 to require a suitable off street servicing strategy to be demonstrated and in addition for allocations 7, 17, 18, 21, 22 and 23 to include utilisation of servicing by cargo bikes and minimisation of the need for vehicular access.

## Water supply, flooding and flood risk

74. The evidence before me indicates upgrades of the water supply network and wastewater network are required but the site allocations do not reflect this and are therefore ineffective in these terms. For sites 2 and 9 **MM14 and MM30** are required to update detail on flood risk requirements and life spans for tidal wall defence breach scenarios. These would provide clarity on flood mitigation

requirements in accordance with paragraph 167 of the Framework. The modifications also refer to the requirement for site 2 for a Flood Risk Activity Permit for activities within 16 metres of a tidal main river or flood defence structure.

75. For site allocation 7, it is not clear what the flood risk category is within the Framework for the NHS facilities and the exceptions test requirement for an exceptions test for any re-provision. Accordingly, **MM65** is necessary for clarity regarding flood risk categories to refer to the existing health facilities as a 'more vulnerable use' and that the exceptions test would need to be satisfied as part of a Flood Risk Assessment if it is re-provided.
76. As currently proposed, for site allocations 22 and 23 there is no reference to Groundwater and Contaminated Land which means the policy is not effective and is inconsistent with the LLP and the approach to other site allocations. Therefore, **MM70 and MM76** adds a new sub-section to refer to compliance with Policy EN4 (f) of the LLP in terms of protection of groundwater from contamination and identification of an adjoining railway as a potential source of contamination for consideration.

### Conclusion

77. I turn to specific allocations below but the SADPD's site allocations provide a justified and effective basis for decision-making consistent with national policy.

### **Issue 3 – Are site-specific aspects of the SADPD's allocations justified, effective and consistent with national policy?**

#### Waterloo and South Bank Proposed Site Allocations

##### Site 1: Royal Street – new allocation – supersedes existing

78. This site allocation provides a significant opportunity to contribute to the growth of the Waterloo SC1 cluster, linked to local hospitals and universities and supporting population health and well-being, life-sciences (including MedTech) and complementary sectors such as artificial intelligence. This would complement the growing cluster of low carbon industries in this part of Lambeth and the evolution of the South Bank and Waterloo creative cluster.
79. The indicative work of the Council indicates no fewer than 129 residential units could be replaced in addition to office floor space including laboratory enabled flexible spaces at ground floor and cultural facilities and community spaces. Because this site falls outside the Waterloo CAZ retail cluster it is not a primary retail destination. Proposals are also required to demonstrate no harmful

impacts on the Lower Marsh/The Cut/Leake Street special policy area as a centre for local needs and specialist independent retail.

80. Within the site lies an archaeological priority area and the approaches and wider setting of the Westminster WHS, Lambeth Palace Conservation Area is also partly within the site along with a Grade II listed sculpture and two buildings, a former school on Carlisle lane and at 10 Royal Street which are identified as positive contributors to that conservation area. In proximity to the site is the WHS, Lambeth Palace Gardens which is a registered landscape the Albert Embankment Conservation Area, locally and statutory listed Grade II buildings and spaces. It is also subject to a number of strategic views and local views in accordance with Policy Q25 of the LLP.
81. The site is appropriate for tall buildings as shown on the vision map and as dictated by sensitivity in relation to the settings of the WHS and County Hall in views from the west. The site 1 policy requires a number of building design, views and townscape principles that development must consider in order to achieve a high quality of design and protect nearby heritage assets, including in terms of their setting.
82. However the reasoned justification in the 'Building, Design, Views and Townscape' section does not clarify that only parts of the site are suitable for tall buildings (above 45 metres in this area), that a canyon effect on Lambeth Palace Road should be avoided and the maximum height should be 27 and not 31 metres, whilst also removing two AOD references. Consequently, to be effective and consistent with Policies Q7 and Q26 of the LLP, **MM05** is necessary to make these modifications.

#### Site 2: St Thomas' Hospital - new allocation

83. This site allocation is formed by a 2.74-hectare hospital site owned by Guy's and St. Thomas NHS Foundation Trust. Development on this site provides an opportunity to deliver enhanced clinical care facilities and to contribute to the growing SC1 Life Sciences and MedTech health cluster in this part of the Waterloo Opportunity Area. There is also a significant opportunity to improve the townscape character and pedestrian experience along Lambeth Palace Road, in conjunction with the development of the Royal Street site. Land uses proposed include hospital ancillary uses and the re-provision of the Florence Nightingale Museum on site or at an appropriate alternative location.
84. The site is subject to the same heritage asset considerations identified above for site 1 but within the site is part of the Albert Embankment Conservation Area. Near the site lie a range of historic assets including the WHS, Grade I and II listed buildings, a registered landscape and locally listed buildings. The site is

also within the setting of the Lambeth Palace and South Bank Conservation Areas.

85. The site is not in a location identified as being appropriate for tall buildings, which are defined as above 45 metres in this location. The heights on the vision map are dictated by the sensitivity of its location to the settings of the WHS and County Hall. A number of detailed development principles would need to be addressed to achieve high quality design but the policy is not clear in terms of heights necessary to maintain a 'sky' gap along the edge of the Elizabeth Tower, a strategic view (LP 27B) and that a canyon-like effect should be avoided on Lambeth Palace Road. The policy is not therefore effective as it does not contain reference to these key design requirements. **MM12** is necessary to amend the maximum height to 27m (not 31m) and to add wording to retain a gap and avoid a canyon like effect along Lambeth Palace Road.

#### Site 8: 110 Stamford Street – new allocation

86. This site allocation is formed by a 0.11-hectare site in private ownership and provides an opportunity to contribute to the Waterloo Opportunity Area through mixed use development, including new housing and affordable housing. Ground floor uses have the potential to complement the existing services provided by the adjacent Neighbourhood Centre and there are also opportunities to address poor quality public realm design.
87. However, the policy in terms of its land uses sub-section is not clear that the provision of community or office floorspace would be acceptable and that it is unnecessary to provide both. Consequently, to ensure effectiveness **MM17** is necessary to amend the first bullet point to read 'community or office' floorspace at ground floor, which would also assist in providing an active frontage to Stamford Street and appropriate place shaping.
88. The site does not have a strong relationship with the River Thames and consequently, the policy text relating to the prioritisation of the river for the transportation of construction materials and waste during construction is not necessary in order to be effective and the evidence does not justify such an approach. **MM20** is therefore necessary to remove the first paragraph in the Waste Management sub-section of the policy.
89. I have considered the landowner's view that the allocation does not allow for community or office floorspace throughout the whole building. However, the policy refers to 'potential' to accommodate 'community or office floorspace at ground floor to provide an active frontage at street level'. It does not exclude any future proposal coming forward for a greater amount of floorspace, which would fall to be determined in accordance with the SADPD, the LLP, in

particular Policy S2 which relates to new social infrastructure and the LP with regard to its location in the Waterloo CAZ.

90. I have also considered the further representations from the landowner concerning the deliverability and viability of the site. Any future proposal however would also be subject to any other material considerations at the time of the decision and overall the policy does not limit the other options being explored and considered. It is also reasonable that matters and circumstances could change in the medium to longer term and the LLP and SADPD will be subject to further review in the short to medium term. Having regard to those further representations they do not lead me to a conclusion that the allocation should be found unsound and deleted from the SADPD.

Site 9: Gabriel's Wharf and Princes Wharf, Upper Ground SE1 – new allocation – supersedes existing

91. The allocation is formed by a 0.53-hectare site on the south bank of the River Thames in a mix of social enterprise and private ownership. The site has potential for a mix of uses that will contribute positively to the Waterloo Opportunity Area and this part of the South Bank and Bankside Strategic Cultural Area, including cultural uses, offices, housing with affordable housing, and shops and restaurants fronting new public realm.
92. Given the design led approach, the policy is too prescriptive regarding the location of open space and is not consistent with the Framework in terms of its social objective of accessible open spaces that reflect current and future needs, and to plan positively for such spaces (paragraph 8b of the Framework). Accordingly, **MM23, MM24 and MM27** are necessary for effectiveness and deliverability by deleting the first sentence of the second paragraph under 'vision' and the 'vision map', remove superfluous text and remove the sixth bullet point relating to continuation of the building line set by Duchy Street and Bernie Spain Gardens. To ensure clarity and effectiveness **MM22** is necessary to refer to The OXO Tower (within Southwark LBC) being a heritage asset to have regard to.
93. The allocation requires residential use, which may include an element of extra care housing where need is demonstrated. However, use for a nursing home may also be provided to assist in creating mixed and balanced communities. Consequently, **MM25** is necessary to require that the residential element must include C3 housing and may include an element of extra care housing or a nursing home, where need is demonstrated to be consistent with the LLP. The policy as submitted also does not allow for meanwhile uses which aim to ensure the site would remain in beneficial use prior to redevelopment and has some redundant text. **MM25** also adds a new paragraph to clarify that meanwhile uses

will be encouraged in advance of comprehensive development and that investment to enable this will be supported for effectiveness.

94. The policy is also not clear as to the established design policy expectations that apply to this site. Consequently, **MM29** is necessary to add a second paragraph so that development needs to be well integrated with and complement neighbouring development at 72 Upper Ground as an important design consideration. The modification ensures consistency with the Framework in terms of a high standard of amenity for all by amending the final paragraph to also include consideration of the amenity value of Queen's Walk.

### Loughborough Junction Proposed Site Allocations

#### Site 22: 1 and 3 – 11 Wellfit Street, 7 – 9 Hinton Road and Units 1 – 4 Hardess Street SE24 – new allocation

95. The allocation is a 0.33-hectare site in mixed private and public ownership occupied by industrial and retail floor space and within the Brixton Creative Enterprise Zone but not within a designated town centre. There are no heritage assets on the site and immediately joining it but nearby are conservation areas, a Grade II listed registered landscape and two locally listed buildings. There are also some protected strategic and local views from Brockwell Park to the city and from Norwood Park to the city under Policy Q25 of the LLP. The site has a PTAL rating of 3 and is approximately 200 metres from Loughborough junction station.
96. The allocation seeks to provide light industrial accommodation which could include 'maker-space' for small and growing businesses, particularly in the creative and digital industries, in a location where many businesses of this type already exist. There is potential for this to be provided as part of a sustainable, mixed-use development with new housing, including affordable housing, to complement that on the adjacent Higgs site. This would also contribute to Loughborough Junction as a residential neighbourhood and to complement Loughborough Junction's other characteristic yards.
97. To address inaccuracies in reference to those designated heritage assets which would need to be considered, in order to be effective, **MM67** is necessary for to add reference to the settings of Ruskin Park, including views from Ferndene Road. This would ensure consistency with the Framework in terms of the terminology used relating to development affecting the significance of heritage assets, in terms of their setting.
98. The site has the potential to accommodate 50 to 70 self-contained residential units and at least 1,400 square metres of light industrial workspace. However, the site is not appropriate for a tall building and therefore **MM68** is necessary to

add that and clarify that a tall building is defined as above 45 metres in this location. This would ensure effectiveness and consistency with the LLP and LP.

99. **MM69** is required to ensure consistency with the Framework at paragraphs 112 and 130 with regard to the efficient delivery of goods and off-street servicing. The modification also provides clarity on the contribution made by planning obligations to the delivery of local public realm and cycling infrastructure including the expansion of the cycle hire infrastructure in the area and clarifications to the relevant council strategies they relate to. It also adds a new paragraph requiring engagement with Network Rail given the proximity of the allocation to railway infrastructure.
100. To ensure effectiveness **MM71** is necessary to add detail to the policy regarding the types of projects that could fund greater access to open space and nature conservation through future obligations. This includes but is not limited to replacement of existing street furniture, accessibility enhancements, particularly in relation to new signage, improvements to gardens and habitats, landscape improvements and, where required, upgrades to or replacement of existing infrastructure such as children's playgrounds.

Site 23: Land at c/o Coldharbour Lane and Herne Hill Road SE24 – new allocation

101. This 0.10-hectare site is in private ownership and currently houses a place of worship. The allocation aligns with Policy PN10 of the LLP for Loughborough Junction by seeking to achieve a sustainable, mixed-use development in a well-connected town centre location. This allocation would also provide improved accommodation for the existing place of worship, or alternative town centre uses, presenting active frontages at ground floor within the town centre along Coldharbour Lane and Herne Hill Road. The allocation requires the replacement of the existing community use and the indicative evidence indicates 30 to 40 self-contained residential units on upper floors. The site is not appropriate for a tall building defined as above 45 metres in this location.
102. However **MM73** is necessary to add reference to Policy S1 of the LLP as there is a requirement for an existing community facility to be re-provided. This would add clarity, effectiveness and consistency with other allocations where there is a similar requirement. **MM74** whilst referred to above more generally is necessary for effectiveness to add reference to the settings of Loughborough Park Conservation Area and Ruskin Park, including views from Ferndene Road. This would ensure consistency with the Framework in terms of the terminology used relating to development affecting the significance of heritage assets, in terms of their setting.

103. This prominent corner site, in a town centre and with a high level of public transport accessibility, presents an opportunity for moderately increased density if accompanied by improved public realm and a wider footway. If designed to integrate with, and complement the scale of, the approved redevelopment on Higgs Yard immediately to the south I see no reason why, on the evidence before the examination that a high quality of design could not be delivered.
104. To ensure that this is a car free development, to restrict vehicle access to disabled persons only, to address parking and servicing and to be consistent with the approach in other allocations, **MM75** is necessary for effectiveness and to ensure conformity with Policy T6 of the LP. The modification provides clarity on the contribution made by planning obligations to the delivery of local public realm and cycling infrastructure including the expansion of the cycle hire infrastructure in the area and clarifications to the relevant council strategies they relate to. This includes prioritisation of making the station step free via an Access for All scheme. The modification also adds a new paragraph requiring engagement with Network Rail given the proximity of the allocation to railway infrastructure.
105. To ensure effectiveness **MM77** is necessary to add detail to the policy regarding the types of projects that could fund greater access to open space and nature conservation through future obligations. These include but are not limited to improvement works to Wyck Gardens, Elam Street Open Space, Milkwood Community Park and Loughborough Park, which are, in that order, the four existing open spaces in closest proximity to the site. Improvement works could comprise replacement of existing street furniture, accessibility enhancements, particularly in relation to new signage, improvements to gardens and habitats, landscape improvements and, where required, upgrades to or replacement of existing infrastructure such as children's playgrounds.

Site 24: King's College Hospital, Denmark Hill – new allocation

106. This allocation is formed by a 7.45-hectare site currently in hospital and ancillary uses along with a safeguarded clinical waste transfer site and owned by King's College NHS Foundation Trust and King's College London. Change of use from business and storage use to hospital and associated uses would need to comply with the requirements of Policy S19 of the LP and Policy EN7 of the LLP with regard to the relocation of the safeguarded waste use.
107. Within the site there are a number of locally listed buildings and a Non-Designated Heritage Asset. Ruskin Park along with a number of Grade II listed buildings in Denmark Hill and Camberwell Grove (within Southwark LBC) and the Camberwell Green Conservation Area further to the North are in proximity to the site. The site is not appropriate for tall building development defined in this location as above 45 metres and there are a number of constraints including the significance of heritage assets and proximity of neighbouring residential

properties that would serve to restrict development heights. These would need to range from approximately 13 metres in the west adjacent to Northlands Street and approximately 9 metres in the north fronting onto Venetian Road and then rising to approximately 40 metres along its eastern and southern boundaries.

108. There are a number of necessary design considerations relating to heights including development along Denmark Hill presenting a unified height of approximately 40 metres and a lower shoulder height of approximately 9 metres to Denmark Hill to then step down towards historic development across the road in the London Borough of Southwark. In addition development facing onto Ruskin Park is also required to comprise of several blocks with clear gaps in between and there are principles relating to distinctiveness and material usage. This would allow for a more coherent approach to building massing and materials to improve the general character of the hospital campus and give it a stronger identity, particularly on the eastern and southern sides of the campus, and within proximity to those designated heritage assets.
109. However, the policy is not effective as drafted because it fails to have regard to all heritage assets that could potentially be affected by re-development proposals, namely the Camberwell Green Conservation Area and Ruskin Park. **MM79** is therefore necessary to clarify the importance of the setting of Ruskin Park and identify the views from Ferndene Road to which regard should be had, and to avoid repetition as these heritage assets are already identified in the 'Context' table, page 159, sub-section 'Heritage Assets'.
110. To be effective, **MM81** is required to clarify that a material reduction in on-site car parking is expected in the 'Transport, Movement and Public Realm' sub section. Further, it would be effective in terms of clarifying the contributions to be made by planning obligations to the delivery of local public realm and cycling infrastructure improvements, including infrastructure including cycle hire docking stations in the area, clear, legible and safe walking routes to Denmark Hill railway station, improvements to Denmark Hill station, should capacity issues be identified arising from development and by working in partnership with Southwark LBC. The modification also adds a new paragraph requiring engagement with Network Rail given the proximity of the allocation to railway infrastructure. All of these changes are required for effectiveness.
111. To ensure a high standard of amenity for future occupiers in accordance with the Policy Q2 of the LLP and paragraphs 119, 130 and 185 of the Framework, **MM82** is necessary to add further detail on those particular considerations that are applicable and to highlight that consideration needs to be given to sensitive relationships between the site and occupiers in Northlands Street and Venetian Road.

112. In order to be effective **MM83** is necessary to add detail to the policy regarding the types of projects that could fund greater access to open space and nature conservation through future obligations, including but not limited to improvement works to Ruskin Park, which is the most likely open space to be used by hospital staff and visitors to the site. Amongst other improvements, these works should include accessibility enhancements, particularly in relation to new signage directing hospital users towards Ruskin Park.

### Brixton Proposed Site Allocations

#### Site 17: 330 – 336 Brixton Road – new allocation

113. This is a 0.52-hectare site in mixed private ownership with Nos. 332-334 Brixton Road which is owned by the South London and Maudsley NHS Foundation Trust. The site is partly within the Brixton Road Conservation Area with adjacent listed buildings and is subject to protected local views from Brockwell Park to the city in accordance with Policy Q25 of the LLP. Redevelopment of this site is intended to provide improved accommodation for existing users, including offices for the WeAre336 hub of voluntary and community sector organisations, plus NHS clinical facilities and associated ancillary space. Provision of light industrial workspace on the site will make a significant contribution to the Brixton Creative Enterprise Zone. There is additional potential to create new housing and affordable housing as part of a comprehensive mixed-use redevelopment.
114. The policy also includes requirements for the retention of the frontage building at 336 Brixton Road and the removal of car dominated forecourts and the restoration of Winnings Walk as a residential street. The site is not appropriate for a tall building defined as above 45 metres and the allocation requires heights to step down from number 336 south to the north on the Brixton Road frontage.
115. I have carefully considered the effects of development on this site including whether a proposal could reasonably come forward just under the indicative height of 45 metres. There are also existing neighbours adjacent to the site and in particular the relationship with neighbours in George Mews, Winnings Walk and Bedwell House is sensitive given their proximity and the likely scale massing and height for the redevelopment of this site. Whilst no doubt there are design challenges on the site it should not be regarded as unsound on that basis.
116. However, phased proposals would need to be tested in terms of the relationship of mass to adjacent parcels of land and to demonstrate to the satisfaction of the decision maker that acceptable neighbouring relationships can be achieved. In accordance with Policy Q7 of the LLP any applicant would also need to demonstrate that the partial development of a site does not prejudice the

optimum future development of adjoining plots and the agent of change principle applies in accordance with Policy D13 of the LP.

#### Site 20: Tesco, 13 Acre Lane – new allocation

117. This allocation is formed by the existing 1.25-hectare Tesco superstore site and 229 space ground floor car park. The site has a high PTAL rating of 6A and is in walking distance to Brixton underground and National Rail station and is currently in private ownership. It is part of Brixton Town Centre although it is outside the primary shopping area and the Brixton CEZ. There are no heritage assets on the site but Trinity Gardens and Brixton Conservation Areas are near the site along with a number of Grade II listed buildings.
118. The allocation seeks to re-provide a supermarket for the town centre in addition to new homes, including affordable housing. The allocation also seeks to improve the current poor appearance of the site through high quality design, which responds well to its sensitive context adjoining conservation areas. Other benefits sought include a widened footway and increased activity on and around Acre Lane, which will improve community safety, and significant potential for enhanced urban greening and biodiversity.
119. The indicative work of the Council includes the replacement supermarket with residential above and the potential to accommodate approximately 180 to 210 self-contained residential units. The site is not appropriate for a tall building defined as over 45 metres in this location and the policy contains a number of design principles that would need to be addressed. This includes reinstating a building line to Acre Lane, pedestrian enhancements on the entrances to Acre Lane and to use materials and massing which respond positively to local distinctiveness.
120. There would be a significant form massing and height of development in this location and this could reasonably include a building just below 45 metres. I have carefully considered these matters but the site is in a highly accessible location close to Brixton Station and other public transport and is in walking distance of a variety of services and facilities. The SADPD seeks optimisation of capacity, in particular this should be the case in accessible urban locations as required at paragraphs 119, 121, 124 and 125 (a) of the Framework. This is a site not without constraints and challenges but nonetheless, a site where the highest standards of architecture and urban design could result in a denser but high-quality development in a borough with significant housing demands and constraints.
121. The policy as written is however inconsistent between the vision map and text in terms of achieving safe and suitable access and is therefore not consistent with the Framework. Accordingly, **MM38** is required to amend the first bullet point of

the 'Building, Design, Views and Townscape' sub-section to refer to provision of a widened footway on Acre Lane.

122. There are sensitive residential relationships in particular to neighbours on Baytree Road, Porden Road, Arlington Lodge and at Nos. 41 to 45 Acre Lane. Ultimately the allocation would require compliance with Policy Q2 of the LLP which seeks to ensure no unacceptable impacts on the living conditions of existing neighbours and include considerations of light and privacy amongst other things. In this case given neighbouring proximity the allocation requires the enclosure of retail service areas and if that is not proposed there would need to be a demonstration that there would be no unacceptable impacts on those neighbours.
123. However, the evidence indicates there would be benefits to future occupiers by reducing the height of a large boundary wall shared with Arlington Lodge. However reducing '*those parts*' of the boundary wall.....'*that would not unduly impact on the amenity of existing residential neighbours*' is not sufficiently clear and would be ineffective in terms of achieving the LLP and Frameworks requirement of ensuring a high standard of amenity for existing and future users (paragraph 135 (f)).
124. Accordingly, as set out above I have made minor amendments to the wording of **MM40** to add in wording after 'Arlington Lodge', '*As part of any future redevelopment proposals consideration shall be given to reducing those parts of the boundary wall shared with Arlington Lodge that would improve the residential amenity of existing and future occupiers*'. This would provide clarity with regard to the consideration of both existing and future occupiers. Whilst representations to the MMs have raised issues of a history of previous permissions, planning conditions and covenants these would need to be resolved, as necessary as part of any future re-development proposals that may come forward.
125. To ensure that only disabled persons parking will be supported on site **MM39** is necessary for effectiveness and to provide clarification and to ensure conformity with Policy T6 of the LP. I have considered the issue of access for retail uses from Acre Lane but nothing before me in the evidence indicates the access onto Baytree Road is inherently unsafe or affecting amenity and in any event it does not preclude different alternatives coming forward at any future application stage and requirements of the LLP would still have to be satisfied.
126. I have considered the further representations made on the proposed modifications, including those who seek an even greater density than indicated but the responses do not add materially to the evidence or arguments already before me in both writing and orally at the hearing sessions. I have also dealt with the significance of the indicative design work above.

Site 21: 51 – 57 Effra Road – new allocation

127. This allocation is formed by the 1.07-hectare Effra Road retail park which is in private ownership. The allocation is for a mixed-use development that can contribute new workspace and jobs within the Brixton Creative Enterprise Zone in accordance with Policy HC5C of the LP, and new housing and affordable housing within an existing residential neighbourhood. The site is within walking and cycling distance of Brixton town centre. However, the place of worship referred to in the penultimate bullet point of the 'Building, Design, Views and Townscape' subsection no longer exists within the site boundary. **MM45** is therefore required to delete the reference to it in the interests of clarity and effectiveness.
128. The land uses sub-section is not consistent with the LLP in terms of its approach to alternative employment uses on the site and in particular, the approach to other that could be appropriate to the Brixton Creative Enterprise Zone, as set out in Policy PN3 of the LLP. Accordingly, **MM43** is required to ensure consistency by inserting additional text that makes it clear other uses may be acceptable where they support the functioning of the zone and do not undermine the town centre hierarchy. The modification is also required to clarify that offices will be subject to the sequential test and must be of an appropriate scale. These would ensure the effectiveness of the policy and consistency with the LLP and Framework in relation to appropriate land uses in this location.
129. In design and heritage terms, the indicative approach includes that new light industrial workspace would be appropriate at the northern end of the site and approximately 85 to 95 self-contained residential units. This site is not identified as appropriate for tall building development which is over 45 metres in this location and heights are restricted by local views and therefore should range from a maximum of 14 metres in the east to approximately 26 to 29 metres to the West. Development would also be required to be stepped to avoid unacceptable impacts on the living conditions of neighbouring occupiers. There are also other design principles including reinstatements of the historic building line to Effra Road, access onto the street for ground floor residential units, the architectural approach and maintenance of the openness of Rush Common along with an enhancement of existing landscaping.
130. To ensure that this is a car free development and to be consistent with the approach in other allocations, **MM46** is necessary for effectiveness to provide clarification and to ensure conformity with Policy T6 of the LP.

## West Norwood/Tulse Hill Proposed Site Allocation

### Site 18: 300 – 346 Norwood Road – new allocation – supersedes existing

131. This allocation is formed by a 0.97-hectare site in mixed private and Council ownership and comprising existing residential, retail, office, industrial, place of worship and restaurant/takeaway uses along with a petrol station and with a frontage along the A215 Norwood Road. The whole site falls within the West Norwood District Centre and the Norwood Road frontage lies within the primary shopping area. There are no heritage assets within the site but near the site lie designated and non-designated heritage assets including listed buildings and conservation areas, most notably the Grade II\* St Luke's Church on Knights Hill and registered landscape of West Norwood Cemetery.
132. This key town centre site provides a significant opportunity for sustainable, mixed-use redevelopment to include new housing and affordable housing, flexible workspace, community uses and shops, and food, drink uses that will contribute to the renewal of the shopping frontage on Norwood Road. This would contribute to the 'fifteen-minute neighbourhood' and the public realm around and within the site can be improved by increasing pedestrian and cycle permeability, through urban greening and by providing a new built frontage on Norwood Road that creates a more generous footway. There is also an opportunity for high quality architecture to enhance the overall appearance of the town centre.
133. For this site, the potential for tall buildings is contingent on land parcels coming forward together in sufficient quantity to enable the achievement of a number of requirements including Policy Q26A of the LLP, high quality public realm, acceptable effects on living conditions and that public benefits have been maximised. If they cannot be met then tall building development will not be considered acceptable. However, the description in the policy text is inconsistent with that in the 'vision map' in terms of locations that are appropriate for tall buildings. Accordingly, **MM53** is necessary to increase the size of the indicative dark blue shading area on the map which indicates the location appropriate for tall buildings further towards the centre of the site.
134. **MM57** is necessary to amend the third paragraph to add clarification on building design principles including roofscape, height and amenity considerations and to clarify the remaining central part of the site is appropriate for a 'grouping' of tall buildings and adding a maximum height of 31 metres above ground level which should be set within new public space. This would ensure the policy is effective and consistent with the LLP and Framework in seeking to ensure a high quality of design. To ensure effectiveness and consistency between the vision map and any expectation for setbacks from Norwood Road, **MM58** is necessary to give

clarity on minimum pavement widths (6 metres aligning with Nos 294-296 and 304-322 Norwood Road) and public realm enhancements.

135. The policy is also not clear regarding the land uses that should potentially be accommodated within the site, given the presence of a number of existing commercial and retail uses along the site's frontage and would not be consistent with Policy PN7B of the LLP. It is also inconsistent with the Framework at paragraphs 93 and 187 which seek to ensure new development can be integrated effectively with existing business. Accordingly, **MM54** is necessary to amend the third paragraph to delete 'commercial/community' and replace with 'non-residential', including use classes E, F1 and F2'.
136. As non-residential floorspace includes light industrial workspace in use class (E(g)(iii)) there would be no net loss of existing capacity. Further the modification ensures the policy would be effective in that there is an opportunity to provide flexible workspace for creative businesses and that the area along Norwood Road will be restricted through conditions to ensure at least 50% of the ground floor remain in shop use, alongside other town centre and community uses. It also removes superfluous text and overall would ensure diversity of the high street businesses and therefore consistency with Policy PN7B of the LLP.
137. To appropriately seek to address potential impacts on existing business, **MM55** is necessary for effectiveness to add a second paragraph in the 'Employment and Skills' sub-section to require compliance with Policy E3 of the LP and Policies ED2 and ED7 of the LLP with regard to affordable workspaces being secured at rents maintained below market rates and any small shops are re-provided, subject to viability. Further, that the Council will work in partnership with applicants to ensure a commercial strategy is developed to minimise impacts on existing businesses on the site.
138. The site is within an area of open space deficiency for district and regional parks; a small section at the north of the site only is within an area of open space deficiency for local, small and pocket parks. Accordingly, so as to be effective **MM59** is necessary to ensure consistency with other allocations as the access to nature deficiency.
139. I have carefully considered the representations made on the proposed modifications and those already before me, including orally at the hearing sessions. This includes the detailed criticism of the Council's indicative design evidence and approach for this site. I have also had regard to the Framework at Paragraph 127 in terms of design policies being developed with local communities so they reflect local aspirations and are grounded in an understanding and evaluation of each area's defining characteristics. Further, that neighbourhood planning groups can play an important role in identifying the special qualities of each area and explaining how this should be reflected in

development, both through their own plans and by engaging in the production of design policy, guidance and codes by local planning authorities and developers.

140. However, the approach provides guidance and is indicative, seeking to balance a number of competing and challenging constraints and considerations. The approach should in no way result an inevitable 'fait accompli' for any future redevelopment proposals which would ultimately fall to be considered on their planning merits, in accordance with the development plan and subject to other material considerations at the decision making stage. There is also no substantive evidence before me that the allocation would blight existing retail units and could damage the vitality of the town centre.
141. Engagement has taken place but it is clear on this site that a number of individuals and civic and neighbourhood community groups have different views on how the site should be re-developed, if at all. In the context of the housing delivery challenges set out above, and the consequent pressing need to optimise delivery on suitable and accessible sites, I consider that the indicative heights would provide a justified starting point for the consideration of proposals. This would not prevent consideration of whether a greater or lesser variety in the amount, type and form of buildings could be appropriate and are based on detailed evidence of no heritage harm.
142. Critically, final heights for any proposals along with their impacts would have to be found acceptable using a design-led approach and be informed by the evidence, the LLP and any associated supplementary guidance material to the decision in addition to any representations made at the application stage. This is a complex and challenging site and the policy is ambitious but these considerations, taken together lead to the view that the indicative development capacity is reasonable and justified in this case as a starting point for consideration of future proposals subject to the MMs above.

### Streatham and Kennington/Oval Proposed Site Allocations

#### Site 3: 35 – 37 and Car Park Leigham Court Road – new allocation

143. This allocation is formed by an existing car park and public toilets owned by the Council. Part of the site is within the town centre but is not within the primary shopping area. The car park is not within the town centre. There are no heritage assets within the site but nearby there are some conservation areas along with a locally listed building at No. 49. The site has a high PTAL rating and lies in an accessible location close to transport options, amenities, and facilities.
144. The site allocation is for a mixed-used development that includes ground floor active frontages onto Leigham Court Road, with commercial space or residential above, and new housing with affordable housing to the rear of the site. The

Council's evidence indicates the potential for approximately 25 to 30 self-contained residential units and ground floor commercial space within class E which would be within the town centre boundary.

145. The allocation also provides opportunities and flexibility for comprehensive redevelopment alongside the adjacent site. The site is inappropriate for a tall building as defined above 25 metres in this location. Nonetheless given the impacts of a building slightly below that height, the allocation requires redevelopment to respond to the height of existing buildings across the road. However, the policy is not consistent with other sites (site 18) and its use of terminology in term of building design principles. Accordingly, **MM49** is necessary for effectiveness to add that redevelopment should 'appropriately' respond to the height of existing buildings and allowing flexibility in the design approach and consistency throughout the allocations.
146. To ensure that this is a car free development and vehicle access restricted to disabled persons and servicing, and to be consistent with the approach in other allocations, **MM50** is necessary for effectiveness to provide such clarification and to ensure conformity with Policy T6 of the LP. The policy currently does not identify that the site is deficient in access to nature and **MM51** is therefore necessary so that this is addressed in accordance with Policy EN1 of the LLP for effectiveness and to ensure conformity across the SADPD.

Site 7: 6 – 12 Kennington Lane and Wooden Spoon House, 5 Dugard Way  
SE11 – new allocation

147. This allocation is formed by a 0.66-hectare site in mixed private and public ownership with Guys and Saint Thomas NHS Foundation Trust owning Wooden Spoon House. Existing land uses include non-designated industrial land in Kennington Lane and the Christ the Redeemer building, which stands within a yard fronting Kennington Lane. It is vacant but has previously operated as a community use for a language school. Wooden Spoon House provides medical services with ancillary office space and facilities development. Policy PN8 of the LLP 'Kennington Oval' applies and it is located in the Kennington Oval and Vauxhall neighbourhood area.
148. In the northwest corner is the Renfrew Road Conservation Area and adjacent to the conservation area lie a number of Grade II listed buildings and locally listed buildings. An adjoining area around Cottingham Close is currently being considered as a potential post war conservation area. The site is also subject to Strategic View 27-B relating to the protected silhouette of the northern side of Parliament Square to the Palace of Westminster and a number of local views as set out in Policy Q25 of the LLP.

149. The site allocation identifies a mix of uses to include replacement light industrial capacity and community facilities, along with new housing and affordable housing. The front part of the site is appropriate for a tall building of a general building height of 50 metres in an indicative location shown in the allocation. The remainder of the site would be appropriate for low rise and midrise development although this is not defined in the policy but it would need to be appropriately scaled to respond to neighbouring constraints.
150. To address inaccuracies in the location of nearby designated heritage assets and in order for the policy to be effective, **MM61** is necessary to add reference to both the West Square and Elliot's Row Conservation Areas. Further, to delete reference to the proposed Cottingham Close Conservation Area which has only been identified as worthy of such status but has not yet been designated. The modification therefore refers to it as a non-designated heritage asset and is required for the policy to be effective and consistent with the Framework.
151. The site allocation promotes the opportunity for the comprehensive redevelopment of the site. This would allow for greater capacity to accommodate the mix of uses in the most suitable areas because there are a number of important principles which any development should address relating to massing and form given its residential neighbourhood context. However, to clarify that development on different parts of the site may come forward separately **MM62** is necessary and also clarifies that comprehensive mixed-use redevelopment is likely to achieve optimum development capacity and the best place shaping outcomes.
152. The allocation also requires that proposals be tested in relation to the relationship of neighbouring uses from parcels of land within the allocation site and any scheme would need to demonstrate that acceptable neighbour relationships could be achieved. Further that the partial development of the site would not prejudice the optimum future development of adjoining plots the agent of change principle also applies in accordance with Policy D13 of the LP. The policy would allow for adequate consideration of any effects at the appropriate stage.
153. There are also opportunities to improve Kennington Lane for pedestrians and cyclists, by widening the pavement and potentially relocating the signalised crossing. However, to ensure that this is a car free development and vehicle access restricted to disabled persons and servicing, and to be consistent with the approach in other allocations **MM64** is necessary for effectiveness, to provide clarification and to ensure conformity with Policy T6 of the LP.

## Conclusion

154. For the reasons set out above, I conclude on this issue that, subject to the recommended modifications set out, the site-specific aspects of the SADPD's allocations are justified, effective and consistent with national policy.

### **Matter 4: Does the Plan set out effective mechanisms for monitoring and implementation?**

155. The monitoring framework for the LLP includes 29 indicators which relate to a range of matters including housing, affordable housing, commercial floorspace, heritage assets, biodiversity, open space, urban greening and carbon dioxide emission reductions, plus a commitment to report annually on developer contributions and air quality.

156. The LLP does not include any specific performance indicators in relation to site allocations because performance of all relevant developments in Lambeth is monitored in the round as part of Lambeth's annual monitoring exercises. The SADPD sites will be monitored in accordance with these established annual monitoring practices to ensure consistency with the LLP. Any additional specific performance indicators for the proposed site allocations would constitute a different, inconsistent approach to the one taken in the LLP.

157. The individual site allocations do not indicate expected delivery timelines, and it is therefore not clear when the sites in the SADPD will contribute towards the Council's housing trajectory. This was acknowledged by the Council at an early stage and where delivery timeframes are not currently available the Council stated it would continue to work with developers and landowners during the examination period to try to determine these timeframes and present them as additional proposed modifications. To rectify this, a number of MMs are proposed to insert approximate delivery timeframes for sites where this information is available – see above at paragraph 54.

158. The SADPD adds site-specific policies to those already in the LLP and will therefore run to the same timeline as the LLP up to 2035. The Council are due to commence a review of the LLP later in 2025/26 and is likely to incorporate a review of all site allocations. Therefore, if it appears that development of any of the proposed SADPD sites will not come forward by 2035, this issue can appropriately be addressed in any forthcoming review.

159. The triggers for updating site allocation policies under any review would be determined on a site-by-site basis considering the scale of the development envisaged; the planning status; progress made towards the submission of an application; and developers' delivery intentions and anticipated start and build-out rates.

## Conclusion

160. For these reasons, and subject to the recommended MMs, I conclude on this main issue that the SADPD sets out effective arrangements for monitoring.

## **Overall Conclusion and Recommendation**

161. The Council has requested that I recommend MMs to make the SADPD sound and capable of adoption. I conclude that the DtC has been met and that with the recommended MMs set out in the Annex the SADPD satisfies the requirements referred to in Section 20(5)(a) of the 2004 Act and is sound.

*R Aston*

INSPECTOR

This report is accompanied by an Annex containing the Main Modifications.