

Draft South Bank and Waterloo Neighbourhood Plan

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Barnett,Dominique

From: [REDACTED]
Sent: 20 November 2018 13:18
To: PlanningPolicy
Subject: South Bank and Waterloo Neighbourhood Plan - Openreach

Hi Planning team,

I am a Developer Relationship Manager in Openreach. I would like to take this opportunity to make you aware of what Openreach offer new developments in terms of Fibre infrastructure.

Openreach policy on New Sites. We will deploy FTTP (Fibre To The Premise), free of charge, into all new housing developments of 30 or more homes, this new policy took affect for all New Sites registered from November 2016. This means that at least 9 out of 10 new build homes could have access to free FTTP infrastructure if property developers register their scheme and contract with Openreach.

Since we launched our new proposition for fibre broadband at new developments back in February 2016, we have reduced this threshold where we deploy FTTP for free. Initially it was free for developments of 250 homes or more, then in May 2016 we reduced it to 100 homes and from November 2016 it was reduced again to 30 homes. Meanwhile any developments with two or more homes will have access to our existing or planned fibre infrastructure, either funded entirely by Openreach or with the help of developer co-funding where that's needed.

For each new development, our dedicated New Sites Reception team will work with developers, and give a clear recommendation on the infrastructure that should be built. Once contracted, a dedicated field based coordinator will work with the Developer to lead them through the plan and build process.

We've reduced the free FTTP threshold to 30 or more homes to make it even easier for developers to have access to Ultrafast broadband. We know that consumers are passionate about the speed and reliability of the broadband service that their communication provider can offer them, and for some the availability of ultrafast speeds will strongly influence their decision on which new property to buy.

Openreach's FTTP infrastructure is open to all communication service providers and we're working hard with industry to encourage greater adoption, so customers have much wider choice and more customers can benefit from the faster speeds of up to 1Gbps this is ultrafast Broadband via FTTP, and not to be confused with FTTC (Fibre To The Cabinet) technology. This allows everyone in their homes to do whatever they want to do online. They can simultaneously stream 4K films and music, catch up on TV on demand, make HD video calls, play online games, upload photos and video clips to social media sites and send emails.

We therefore suggest and recommend that local authorities build a requirement into their local plans that FTTP is provided to all new build sites with an open access network – this guarantees not only fantastic broadband speeds but also great consumer choice.

The lower threshold for free FTTP deployment has been warmly received by industry bodies.

I trust that the information provided above is helpful, I've also attached the following link to our developer web page which has been designed to help and support developers not only. register their sites with us

but also provide additional useful information regarding our network. <https://www.ournetwork.openreach.co.uk/>

Please don't hesitate to get in touch if you have any questions or require additional information.

Regards

[REDACTED]

[REDACTED]

Developer Relations, Infrastructure Solutions

Openreach

[REDACTED]

Web: openreach.co.uk

We build and maintain the digital network that enables more than 600 providers to deliver broadband to homes, hospitals, schools and businesses large and small. Our engineers work in every community, every day, because we believe everyone deserves decent and reliable broadband.

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Openreach Limited

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Registered in England and Wales no. 10690039

Barnett, Dominique

From: [REDACTED]
Sent: 26 November 2018 12:11
To: PlanningPolicy
Subject: South Bank and Waterloo Neighbourhood Plan

Dear Sirs

Thank you for consulting the London Parks and Gardens Trust (LPGT) on the above Neighbourhood Plan. I write on behalf of the Planning & Conservation Working Group.

The LPGT is affiliated to The Gardens Trust (GT) which is a statutory consultee in respect of planning proposals affecting sites included in the Historic England (HE) Register of Parks and Gardens of Special Historic Interest. Inclusion of a site in the HE Register is a material consideration in determining a planning application. The LPGT is the county gardens trust for Greater London and makes observations on behalf of the GT in respect of registered sites, and may also comment on planning matters affecting other parks, gardens and green open spaces, especially when included in the LPGT's Inventory of Historic Spaces (see www.londongardensonline.org.uk).

We welcome the principle of neighbourhood planning and that local people are being given the opportunity to define their priorities within the planning system. We support in general, the proposed Green Infrastructure, Open Space and Air Quality proposals. We would have liked to have seen more detail around projects that protect the specific green spaces beyond Jubilee Gardens, with priorities for parks such as Ufford Street and Archbishop's Park and greater investment there with project details.

If you have any further queries, please contact us at this email address.

Yours sincerely

[REDACTED]

[REDACTED]
Director
London Parks & Gardens Trust

[REDACTED]

Duck Island Cottage
St James's Park
London SW1A 2BJ

Lambeth Council
Planning Policy and Strategy
PO Box 734
Winchester
SO23 5DG

██████████
Consultant Town Planner

Tel: 01926 439127
n.grid@woodplc.com

Sent by email to:
planningpolicy@lambeth.gov.uk

29 November 2018

Dear Sir / Madam

**South Bank and Waterloo Neighbourhood Plan Consultation
SUBMISSION ON BEHALF OF NATIONAL GRID**

National Grid has appointed Wood to review and respond to development plan consultations on its behalf. We are instructed by our client to submit the following representation with regards to the above Neighbourhood Plan consultation.

About National Grid

National Grid owns and operates the high voltage electricity transmission system in England and Wales and operate the Scottish high voltage transmission system. National Grid also owns and operates the gas transmission system. In the UK, gas leaves the transmission system and enters the distribution networks at high pressure. It is then transported through a number of reducing pressure tiers until it is finally delivered to our customers. National Grid own four of the UK's gas distribution networks and transport gas to 11 million homes, schools and businesses through 81,000 miles of gas pipelines within North West, East of England, West Midlands and North London.

To help ensure the continued safe operation of existing sites and equipment and to facilitate future infrastructure investment, National Grid wishes to be involved in the preparation, alteration and review of plans and strategies which may affect our assets.

Specific Comments

An assessment has been carried out with respect to National Grid's electricity and gas transmission apparatus which includes high voltage electricity assets and high-pressure gas pipelines, and also National Grid Gas Distribution's Intermediate and High-Pressure apparatus.

National Grid has identified that it has no record of such apparatus within the Neighbourhood Plan area.

Key resources / contacts

National Grid has provided information in relation to electricity and transmission assets via the following internet link:

<http://www2.nationalgrid.com/uk/services/land-and-development/planning-authority/shape-files/>

Electricity distribution

The electricity distribution operator in Lambeth Council is UK Power Networks. Information regarding the transmission and distribution network can be found at: www.energynetworks.org.uk

Please remember to consult National Grid on any Neighbourhood Plan Documents or site-specific proposals that could affect our infrastructure. We would be grateful if you could add our details shown below to your consultation database:

[REDACTED]
Consultant Town Planner

n.grid@woodplc.com

Wood E&I Solutions UK Ltd
Gables House
Kenilworth Road
Leamington Spa
Warwickshire
CV32 6JX

[REDACTED]
Development Liaison Officer, National Grid

box.landandacquisitions@nationalgrid.com

National Grid House
Warwick Technology Park
Gallows Hill
Warwick
CV34 6DA

I hope the above information is useful. If you require any further information, please do not hesitate to contact me.

Yours faithfully

[via email]

[REDACTED]
Consultant Town Planner

[REDACTED]

Barnett, Dominique

From: [REDACTED]
Sent: 06 December 2018 10:24
To: PlanningPolicy; [REDACTED]
Cc: [REDACTED]
Subject: P1-05: Consultation on an application to re-designate the South Bank and Waterloo Neighbours Neighbourhood Forum - archaeology

[REDACTED],

Having considered the current version of the above document, it appears that comments submitted by my colleague 18 October 2016 and those of myself 19 January 2017 may not have been responded to within the current submission.

I would therefore welcome comment as to how this document has been strengthened in respect of the historic environment and the archaeological potential.

regards

[REDACTED]
Archaeology Advisor (South London)
National Planning Group | London

Historic England | 4th Floor, Cannon Bridge House, 25 Dowgate Hill, London, EC4R 2YA

www.HistoricEngland.org.uk | [@HistoricEngland](https://twitter.com/HistoricEngland) | [@HE LondonAdvice](https://www.facebook.com/HistoricEngland)

Please note that a summary version of the Greater London Historic Environment Record can now be searched online at:
<http://www.heritagegateway.org.uk/Gateway/>

For more information contact the GLHER team or see our [webpage](#) .

For pdf of publication **Sustainable Regeneration of Historic Brownfield Sites**, please see :
<https://www.historicengland.org.uk/images-books/publications/regeneration-through-heritage/>



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Lambeth Council,
Planning Policy and Strategy,
PO Box 734,
Winchester, SO23 5DG.

Our ref: PL00504012



By email: planningpolicy@lambeth.gov.uk

4 December 2018

Dear Planning Policy Team

**Re: Consultation on the application to re-designate the South Bank and Waterloo Neighbours Neighbourhood Forum and:
Consultation on the Publication of the Draft South Bank and Waterloo Neighbours Neighbourhood Plan**

Thank you for consulting Historic England in respect of the above applications in respect of the South Bank and Waterloo Neighbours Neighbourhood Development Plan.

The Government, through the Localism Act (2011) and Neighbourhood Planning (General) Regulations (2012), has enabled local communities to take a more pro-active role in influencing how their neighbourhood is managed. The Regulations require Historic England, as a statutory agency, be consulted on Neighbourhood Plans where the Neighbourhood Forum or Parish Council consider our interest is affected by the Plan. As Historic England's remit is to advise on proposals affecting the historic environment our comments relate to the implications of the proposed boundary for designated and undesignated heritage assets.

The area covered by the proposed Neighbourhood Plan, as illustrated on the map and straddles the borough boundaries between Southwark and Lambeth. The area is large and encompasses areas of major growth and a complex range of heritage assets, including the setting of the Westminster World Heritage Site. We commented on the area boundary on 15 November 2013 and on the associated screening report on 18 October 2016, highlighting the opportunity to develop policies for heritage and character issues.



Historic England, 4th Floor, Cannon Bridge House, 25 Dowgate Hill, London EC4R 2YA
Telephone 020 7973 3700 Facsimile 020 7973 3001
HistoricEngland.org.uk

Please note that Historic England operates an access to information policy.
Correspondence or information which you send us may therefore become publicly available.



General Observations

The Draft Plan does not specifically seek to address specific heritage issues, beyond noting the importance of heritage and local character.

The Draft Plan does not seek to identify specific heritage or character led policies. Given the extent and complexity of heritage assets and their settings encompassed we do consider this a missed opportunity to develop policies which would help embed local character and heritage within the future development of the area. However, we do not consider that the proposed policies create specific concerns in respect of having a negative impact on the historic environment and we do consider that the proposed Draft Plan should have broader beneficial impacts in terms of promoting a healthy environment through its six key aims as set out on page 13. With this in mind we are content that the draft plan is in general conformity with local and national policy and the "Basic Conditions".

In the event of the plan being approved we would continue to encourage the Neighbourhood Forum to consider developing a positive strategy for the historic environment and how new development can contribute to preserving and enhancing local historic character.

We are content for the re-designation of the South Bank and Waterloo Neighbours Neighbourhood Forum to be determined by the Council as they see fit, on the advice of their own specialist staff.

It must be noted that this advice does not affect our obligation to advise you on, and potentially object to any specific development proposal which may subsequently arise from this request and which may have adverse effects on the environment. We trust this advice is of assistance in the preparation of your scoping opinion.

Yours faithfully

[Redacted signature]

[Redacted name]

Historic Places Adviser

SoWN006 Natural England

Date: 12 December 2018

Our ref: 264009

Your ref: South Bank & Waterloo Neighbourhood Plan



The Planning, Transport and Development Service
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Hornbeam House
Crewe Business Park
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CW1 6GJ

BY EMAIL ONLY

planningpolicy@lambeth.gov.uk

Dear Sir or Madam

South Bank and Waterloo Neighbourhood Plan

Thank you for your consultation on the above dated and received by Natural England on 8th November, 2018 .

Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made.

Natural England does not have any specific comments on this draft neighbourhood plan.

If you disagree with our assessment of this proposal as low risk, or should the proposal be amended in a way which significantly affects its impact on the natural environment, then in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, please consult Natural England again.

Yours faithfully


Consultations Team

Ref.: TC/8420

12 December 2018

Planning, Policy and Strategy
PO Box 734
Winchester
SO23 5DG

By e-mail: localplan@lambeth.gov.uk

South Bank & Waterloo Neighbourhood Plan 2017 – 2032

Thank you for consulting Theatres Trust on the above document. Our comments are set out below.

Remit:

The Theatres Trust is the national advisory public body for theatres. We were established through the Theatres Trust Act 1976 'to promote the better protection of theatres' and provide statutory planning advice on theatre buildings and theatre use in England through The Town and Country Planning (Development Management Procedure) (England) Order 2015, requiring the Trust to be consulted by local authorities on planning applications which include 'development involving any land on which there is a theatre'.

Comments:

The neighbourhood plan area is home to a number of theatres of various scales along with other arts, cultural and performance venues. This includes internationally renowned theatres such as National Theatre, the Grade I listed Southbank Centre and the Grade II* listed Old Vic as well as the Young Vic, Network Theatre, The Vaults Theatre and Waterloo East Theatre. Therefore the Trust has a great interest in this Plan.

Our detailed comments on specific sections of the plan related to our remit and interests are set out below:

7.2 Thematic Objectives

We support the Plan's objective of 'Developing local access to culture in all its forms', and it support for a range of facilities for the use of the community. On 'Planning gain and mitigation', this provides an opportunity to ensure existing and valued cultural facilities are protected from negative impacts on their operation arising from new development in line with the 'Agent of Change' principle described in paragraph 182 of the NPPF (2018) and Policy D12 of the emerging London Plan (2017).

Theatres Trust

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E info@theatrestrust.org.uk

W theatrestrust.org.uk

Chair Tim Eyles **Director** Jon Morgan

Trustees Richard Baldwin, David Blyth, Pam Bone, Paul Cartwright, Paddy Dillon, Ruth Eastwood, David Ian, Richard Johnston, Gary Kemp, Dara Ó Briain, Simon Ricketts, Peter Roberts, Ann Skippers, Anna Stapleton

The National Advisory Public Body for Theatres

The Theatres Trust Charitable Fund co-operates with Theatres Trust, has the same Trustees and is registered as a charity under number 274697

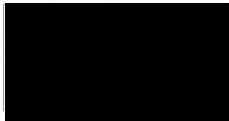
Policy P17

We welcome the Plan's support for Leake Street and the Waterloo Station undercrofts, which includes fringe theatre (The Vaults Theatre and Network Theatre), and the aspiration to see such uses continue. Theatres such as these help contribute towards the Plan's objectives of developing local access to culture, as well as fostering innovation, developing talent and encouraging people into the area which has positive benefits for other local businesses.

Social infrastructure & culture: Other guidance

We welcome the Plan's support for temporary installations along the South Bank to be permitted without delay. As well as exhibitions, markets and food and drink, the area hosts live performance and theatre such as Underbelly. We would support a Neighbourhood Development Order to that effect, although we would caution that such an Order should be drafted in such a way as to avoid being manipulated and to protect the setting of significant architectural and heritage assets from longer-term obstruction. We also appreciate and welcome the flexibility afforded to cultural activity through part 9, which if enforced arbitrarily could be counter-productive to the Plan's aims.

I hope these comments prove useful, and look forward to continued engagement as the Plan progresses. Please do not hesitate to contact the Trust should you wish to discuss this representation in greater detail.



National Planning Adviser

Barnett,Dominique

From: [REDACTED]
Sent: 13 December 2018 14:02
To: PlanningPolicy
Cc: [REDACTED]
Subject: Port of London Authority Response: Submission version of the South Bank and Waterloo Neighbourhood Plan consultation

Dear Sir / Madam

Thank you for consulting the Port of London Authority (PLA) on the above mentioned consultation, regarding the submission version of the South Bank and Waterloo Neighbourhood Plan, in accordance with Regulation 16 of the Neighbourhood Planning (General) Regulations 2012 (as amended). For information, the PLA is the Statutory Harbour Authority for the Tidal Thames between Teddington and the Thames Estuary. Its statutory functions include responsibility for conservancy, dredging, maintaining the public navigation and controlling vessel movement's and its consent is required for the carrying out of all works and dredging in the river and the provision of moorings. The PLAs functions also include for the promotion of the use of the river as an important strategic transport corridor to London. I have now had the opportunity to review the consultation documents and broadly support the production of the neighbourhood plan for the area but do have the following comments to make.

It is noted that the plan includes a number of thematic objectives, including specific objectives on ensuring reductions in air pollution, noise pollution and other negative effects, encouraging sustainable transport and reducing vehicular traffic throughout the neighbourhood. Whilst the PLA broadly support these objectives, it is considered that the plan should include more encouragement of the use of the River Thames for the transportation of passengers and freight, particularly small scale freight where viable. This would be in line with the PLA's Vision for the Tidal Thames (2016) (The Thames Vision) which includes a number of goals to increase activity on the river, including the goal to see double the number of people travelling by river – reaching 20 million commuter and tourist trips every year by 2035.

With regards to this is noted that the Neighbourhood Plan area contains the Festival Pier riverbus Stop, as well as Millennium Pier at the London Eye and Lambeth Pier to the South of the Neighbourhood Plan area. The PLA would encourage the greater promotion of these piers within the Neighbourhood Plan, particularly the riverbus stops, which can help to achieve the boroughs sustainable travel goals with regard to improving air quality and decreasing road congestion.

It is noted within the plan that the River Thames and riverside areas are recognised as valuable open space assets, particularly as an important walkway through the area, which is welcomed. Under appendix 10 of the document is a list of 'greenway' routes which includes the Thames Path. The PLA supports the promotion of these routes within the plan, but considers that the Thames Path itself should be specifically quoted. The PLAs Thames Vision includes the goal to join up the Thames Path from source to sea and seeks to support keeping the Thames Path well maintained and accessible, particularly through new developments close to the river to ensure the Thames Path is retained as well as the access routes to it. In addition, as part of future riverside developments the PLA considers it is important to ensure that appropriate riparian life saving equipment (such as grab chains, access ladders and life buoys) are provided, as well as suicide prevention measures in appropriate locations (such as CCTV and signage with information to access support), which is particularly important on and around the bridges over the Thames in the plan area. (Waterloo, Hungerford and Westminster). It is considered that reference this infrastructure should be included within the plan.

The PLA also considers that reference should also be given to the Illuminated River project, and the benefits that this project brings to the area, in terms of improvements to arts and culture and the overall public realm of the plan area.

I hope this information is useful

Regards



Senior Planning Officer
Port of London Authority

London River House, Royal Pier Road
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07712 247 115
WWW.PLA.CO.UK

- Find out more: www.pla.co.uk/Thames-Vision
- Follow us on twitter: @LondonPortAuth



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website: www.pla.co.uk

Barnett,Dominique

From: [REDACTED]
Sent: 15 December 2018 14:48
To: PlanningPolicy
Subject: South Bank and Waterloo Neighbourhood Plan

In response to your request for views on the draft SoWN Neighbourhood Plan, I fully support all elements of this plan. Lambeth Council should give it full endorsement and ensure that in its own Local Plan the SoWN plan is given full weight.

Regards,

[REDACTED]

[REDACTED]



Planning Policy and Strategy
Lambeth Council

thameswaterplanningpolicy@savills.com

By Email: planningpolicy@lambeth.gov.uk



19th December 2018

South Bank and Waterloo Neighbourhood Plan Consultation

Dear Sir/Madam,

Thank you for consulting Thames Water on the above document. Thames Water is the statutory water and sewerage undertaker for the area and is hence a “specific consultation body” in accordance with the Town & Country Planning (Local Development) Regulations 2012.

Background

From the 1st April 2018 all network reinforcement work required to support development will be delivered by Thames Water and funded through the Infrastructure Charge applied to each property connected to the water and wastewater networks. The Infrastructure Charge will also cover all modelling and design work required to deliver any necessary upgrades. However, in most circumstances Thames Water will not commit to undertaking detailed modelling and design work until there is certainty of development coming forward. This is because without certainty of development coming forward the modelling and design work may be abortive.

As a result of this change in approach, Thames Water will no longer require developers to fund impact studies or ask them to demonstrate, at the application stage, what infrastructure reinforcement works are required. However, it will still be critical that any necessary upgrades are delivered ahead of the occupation. As Thames Water cannot prevent connection of development to their networks, the planning system will still play a key role in assisting that development does not outpace the delivery of any necessary infrastructure provision. It is therefore important that developers engage with us at an early stage, pre-planning.

In order to ensure that any necessary upgrades are delivered ahead of the occupation of development, Thames Water are keen to work closely with Local Planning Authorities and Developers to understand the scale of development and the likely timescales for delivery. In this respect we would request that Local Planning Authorities encourage developers to contact Thames Water at an early stage [i.e. pre application submission] to provide details of their proposed development. Developers can make a pre-planning enquiry to Thames Water Developer Services at no cost to confirm whether or not there are capacity concerns. Previously there was a charge for this service but this is being removed to encourage its use.

Where there are significant capacity concerns or developers have rapid programmes for delivery following the approval of planning permission, they may wish to underwrite Thames Waters costs for modelling and solution design work in advance of submitting planning

applications. This would help ensure that any necessary infrastructure can be delivered more swiftly, following the grant of consent. **Adopting this approach would provide developers and local authorities with greater certainty that any necessary infrastructure reinforcement can be delivered in line with proposed development programmes.** In the event that permission is not granted Thames Water may seek to recoup aborted expenditure from developers.

General Comments

The policy support for SuDS within the Neighbourhood Plan is welcomed. Within London the use of SuDS and reduction of surface water flows into the combined sewer network can help to create capacity within the existing sewerage network for growth without requiring upgrades to the sewerage network.

It will be essential that all development is aligned with any necessary water and sewerage infrastructure upgrades required to avoid any adverse impacts such as sewer flooding, pollution of land or watercourses and impacts of low/no water pressure. In line with adopted policies in the Lambeth Local Plan (Policy EN6) and Southwark Core Strategy (Strategic Policy 14) we would, where appropriate, request phasing conditions are used to ensure that any new development or phase of development is not occupied until any necessary upgrades have been completed.

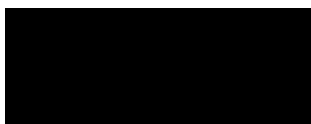
To assist with aligning the delivery of any necessary water and wastewater infrastructure upgrades and minimising the need for planning conditions we would encourage developers to discuss their proposals and programmes with us prior to the submission of any application. Further information for developers and land promoters on pre-planning enquiries can be found at:

<https://www.thameswater.co.uk/preplanning>

It may be beneficial for the Council to include a link to this page on their own website or relevant Supplementary Planning Documents.

I trust the above and enclosed comments are satisfactory, but please do not hesitate to contact me if you have any queries.

Yours sincerely,

A large black rectangular box redacting the signature of the Head of Property.A small black rectangular box redacting the name of the Head of Property.

Head of Property

Barnett,Dominique

From: [REDACTED]
Sent: 20 December 2018 09:07
To: PlanningPolicy
Subject: 6201 South Bank and Waterloo Neighbourhood Plan

For the Attention of: Planning Policy Team

Consultation: South Bank and Waterloo Neighbourhood Plan

Our Refs: 6201

Dear Sir/Madam,

Thank you for your email dated 8 November 2018, advising Highways England of the above consultation.

Highways England has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such Highways England works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Highways England will be concerned with proposals that have the potential to impact on the safe and efficient operation of the Strategic Road Network (SRN).

Having examined the above documents, we do not offer any comment to this proposal.

[REDACTED]

[REDACTED] **Assistant Spatial Planning Manager**
Highways England | 1st Floor, Bridge House | Walnut Tree Close | Guildford | GU1 4LZ

Web: <http://www.highwaysengland.co.uk>



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<https://www.gov.uk/government/organisations/highways-england> | info@highwaysengland.co.uk

Our ref: Q90718
Email: [REDACTED]
Date: 20 December 2018



Lambeth Council
Planning Policy and Strategy
PO Box 734
Winchester
SO23 5DG

[SUBMITTED BY EMAIL ONLY]

Dear Sir/Madam,

SOUTH BANK AND WATERLOO NEIGHBOURHOOD PLAN 2017 – 2032
SOUTHBANK CENTRE, BELVEDERE ROAD, LONDON, SE1 8XX
REPRESENTATIONS ON BEHALF OF SOUTHBANK CENTRE

We are writing on behalf of Southbank Centre in response to the Draft South Bank and Waterloo Neighbourhood Plan Examination Version consultation.

Southbank Centre is located within the Neighbourhood Plan Area and the 5.3-hectare site is one of the UK's leading international cultural and tourist destinations. Southbank Centre is also one of the largest land owners within the area. It is within this context that Southbank Centre recognise the importance of the Neighbourhood Plan and welcomes the opportunity to comment on this important local planning policy document.

We have recently submitted representations on the Draft Revised Lambeth Local Plan October 2018 Consultation on behalf of Southbank Centre.

a) Background

Southbank Centre is a world-famous, multi-venue arts centre providing a year-round arts and culture festivals and programming. The site includes the Grade I Royal Festival Hall, the Queen Elizabeth Hall, Purcell Room, Hayward Gallery and The National Poetry Library. The Southbank Centre's wider estate also includes land at the Hungerford Car Park and land beneath the Waterloo Bridge/IMAX roundabout.

Approximately 27 million people a year visit the site to experience the 5,000+ events that Southbank Centre host, featuring world-class artists from across the world. Southbank Centre employ approximately 500 people across a range of different professions and work in conjunction with over 1,000 artists on an annual basis.

In addition to the core arts and cultural facilities, the site also comprises a number of complementary uses that contribute to this site as an international tourist destination, such as restaurants and shops.

As you will be aware, in addition to the ongoing programme of strategic maintenance and improvement, Southbank Centre work closely with LBL and local residents on the installation of temporary exhibits, structures and advertisements in support of the site's arts and cultural uses. Southbank Centre have been successfully



organising, hosting and managing Winter and Summer Festivals and Events annually since 2008. Southbank Centre continue to diversify and adapt their festivals, events and installations to maintain interest and excitement in arts and culture.

b) Current Position

Southbank Centre are currently going through a period of change. Southbank Centre is welcoming a new Creative Director in January 2019 and the organisation is excited to embrace new opportunities and strategies that come with fresh perspectives. However, Southbank Centre is also in the process of reviewing their financial structure and implementing new funding strategies, in response to financial challenges including increased running costs, the decrease in public subsidies and recent large capital expenditures, such as the Festival Wing refurbishment.

Southbank Centre is a registered charity and, whilst their short-term financial position is stable, funds are limited for inward investment and the ongoing maintenance of the important historic buildings. There are also diminishing opportunities to generate additional revenue and, as a result, Southbank Centre are investigating the potential of existing assets, such as the Hungerford Car Park and land beneath the Waterloo Bridge/IMAX roundabout.

Notwithstanding the challenging financial environment, Southbank Centre are committed to their Core Values (Inclusive, Exciting, Welcoming, Fun and Innovative) and it is not intended to fundamentally change what the organisation is or what it offers. Southbank Centre are excited to implement a more focused programme of activities and performances throughout the site, as well as a coherent site-wide strategy for high-quality public arts installation and major public art commissions. Southbank Centre also intend to respond to cultural changes with a stronger digital offer.

Within the context of Southbank Centre's current position and new strategies, we welcome the opportunity to comment on the important, emerging local planning policy document and the chance to continue our close relationship with the Neighbourhood Forum.

c) Neighbourhood Plan

The South Bank and Waterloo Neighbourhood Plan recognises that Southbank Centre is one of the vital economic drivers within the area and the South Bank & Waterloo Neighbours (SoWN) welcomes and encourages culture and tourism as a valuable part of South Bank life. It is also recognised that planning regulation is not always conducive to the delivery of an animated South Bank and temporary installations should be delivered without unnecessary impediment where they are in appropriate places.

On this basis, it is explained that SoWN will consider promoting a Neighbourhood Development Order to support the temporary development of cultural or public art installations, incorporating strict guidelines developed in conjunction with neighbours to ensure noise levels, the duration and nature of the installation, and its location are acceptable.

The Neighbourhood Plan also recognises that consideration should be given to the balance between the economic benefits of tourism - and particularly how these benefits can be shared among a greater geographical and socio-

economic spread - and the impacts on the resident and business community of increased footfall, noise and disruption to quality of life / business as usual.

Projects which strengthen ties between communities of different social economic status are to be encouraged and developers should consider supporting local artists and cultural organisations when developing their cultural strategy, implementing public or internal art and procuring creative services.

Local people and organisations should be consulted on public art and culture planned as part of development.

Finally, temporary outdoor cultural activity which generates revenue should contribute to the maintenance of the public realm in the area immediately around the site. However, it is recognised that some cultural bodies' funding models dictate that revenue-generating cultural activity contributes to core functions. In such cases, this may be considered 'public benefit'.

d) Representations

On this basis, the Southbank Centre welcomes the general support provided for arts and cultural activities throughout the South Bank. The specific matters that Southbank Centre would like SoWN to give due consideration to comprise:

- Retention of Policy support to be given not just for development which promotes the expansion of the arts and cultural uses, but also development which enables the high-quality art and cultural activities to continue in the area;
- Enable Southbank Centre to develop a more diverse funding base through more innovative and creative ideas, preserve the existing facilities and maintain the same level of high-quality artistic and free programming which is core to Southbank Centre's values;
- Southbank Centre welcome SoWN's proposal to promote a Neighbourhood Development Order that supports temporary development of cultural or public art installations and acknowledges the need to consider noise levels, the duration and nature of installations to ensure the neighbours' amenity is retained;
- Southbank Centre support the inclusion of guidance in relation to the delivery of temporary outdoor cultural activity and how this recognises that the revenue generated should contribute to the maintenance of the public realm in the area. Southbank Centre are continually seeking new ways to generate funds that can be reinvested into the maintenance of the buildings and public realm within the site and therefore are encouraged by the inclusion of this guidance since these maintenance costs continue to increase;
- Southbank Centre are committed to bringing forward a new development on the part of the Hungerford Car Park that is not designated as Metropolitan Open Land. The plans are at an early stage and key

principles of the redevelopment are not yet fixed. Southbank Centre are keen to ensure that the Policy Framework provided by the SoWN Plan enables these proposals to advance in accordance with the objectives of the Local Plan.

e) Conclusions

As an important stakeholder in the South Bank and Waterloo area, Southbank Centre are encouraged by the content of the South Bank & Waterloo Neighbourhood Plan and would be pleased to continue engagement with South Bank & Waterloo Neighbours going forward, as well as with officers.

Please do not hesitate to contact me should you have any queries or require any further information at this stage.

Yours sincerely,

[Redacted signature]

[Redacted name]

Director

cc. [Redacted] - Southbank Centre
[Redacted] - Southbank Centre

South Bank Employers' Group

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Lambeth Council
Planning Policy and Strategy
PO Box 734
Winchester
SO23 5DG

20 December 2018

Dear Sir / Madam

DRAFT SOUTH BANK AND WATERLOO NEIGHBOURS NEIGHBOURHOOD PLAN

South Bank Employers' Group (SBEG) and South Bank Business Improvement District (BID) are pleased to respond to LB Lambeth's consultation on the draft South Bank and Waterloo Neighbours Neighbourhood Plan.

SBEG and South Bank BID

SBEG was formed in 1991 as a not for profit company to represent the collective ambition of the main employers - businesses, cultural and arts organisations, social enterprises, statutory agencies, public institutions and infrastructure providers - on London's South Bank. Following nearly 30 years of success in transforming the area, the ongoing commitment to SBEG reflects our members' desire to see South Bank remain as one of the most culturally and economically dynamic parts of London and the UK.

SBEG brings together a diverse group to achieve a shared vision - one that is based on collaboration, joint working and a firm commitment to those issues that matter to the local business and residential community - a quality public realm and environment, social amenities and facilities, and access to jobs, skills and training opportunities for residents of Lambeth and Southwark.

SBEG established South Bank BID in 2014 as a separate and stand-alone company, governed by a Board whose members are drawn from the business community. SBEG is the delivery agent for the BID and ensures that local services are coordinated and joined up to maximise benefits to all businesses and employers in the South Bank neighbourhood.

SBEG is a vital part of South Bank life. Working with our members and partners, including South Bank BID and LB Lambeth, we provide and coordinate several key services and initiatives, which span security, cleaning, destination marketing and area promotion, employment and skills, and community engagement.

SBEG members are internationally preeminent in their respective fields, and span the worlds of culture, property, tourism, hospitality, transport, education, health, commerce and community. Our members are vital to the very fabric of Lambeth's identity, and to the day to day life of its many communities. Our members are also critical to Lambeth's economic prosperity, and to the borough's future success.

Both SBEG and South Bank BID work as part of South Bank Partnership¹, and are fully committed to addressing and achieving the priorities of the current South Bank Manifesto, published in March 2018, and its ambition for **A Better South Bank for Everyone**.²

SBEG and South Bank and Waterloo Neighbours

SBEG was an early advocate for a Neighbourhood Plan for the area, and saw the potential for an effective Neighbourhood Forum, which could build on the area's history of resident and business engagement, in shaping how this distinctive part of London could grow in the 21st century. SBEG committed time, finances and other resources to the process for getting the Plan underway and in getting South Bank & Waterloo Neighbours (SoWN) established.

SoWN was set up in 2012 as the formally designated Neighbourhood Forum for an area that encompasses nearly all of Bishop's ward. SoWN has led the process to produce neighbourhood development plan, under the 2011 Localism Act. It has 500 members and an annually elected steering group of around 30 people, representing various constituent groups, including businesses, residents, charities, community groups and ward councillors. As CEO of both SBEG and South Bank BID, I am a member of the SoWN Steering Group, effectively representing the most significant bodies of employers and businesses in the borough.

SBEG was active in getting its members and other businesses in the area engaged in SoWN's consultation process on the first draft version of the Neighbourhood Plan. This took place in late 2016 and early 2017 and included providing updates at Board meetings, sharing responses, and in facilitating meetings and discussions with both the Chair and Secretary of SoWN. Several of our members responded directly to that consultation, given their interest in and commitment to the Neighbourhood Plan and its policies.

We provide regular updates to South Bank Partnership and South Bank Forum on the Neighbourhood Plan and its progress.

Context

The Neighbourhood Plan comes at an important point in the development and growth of South Bank and Waterloo, and there are several relevant local and London-wide policies and strategies that will affect the area, its continued development and growth, and - given its importance and significance - its impact on the rest of Lambeth.

This consultation comes at the same time as the review of Lambeth's Preliminary Draft Charging Schedule (PDCS) and Community Infrastructure Levy (CIL) rates/ LB Lambeth is also reviewing and consulting on a review of its draft Local Plan, its draft Transport Strategy, and its draft Infrastructure Plan. These are being undertaken in the context of the preparation of the new London Plan, and the Examination in Public (EiP) which commences in January 2019.

In addition, and of direct relevance to Lambeth's consultation on its PDCS, CIL rates and its Local Plan, the Neighbourhood Plan is being reviewed in the context of the Mayor's proposals for Mayoral Community Infrastructure Levy 2 (MCIL2) which has recently been through its own EiP process.

LB Lambeth has recently published *Creative Ways to Grow* - its growth strategy for the creative and digital industries, which rightly identifies the South Bank and Waterloo area as an important hub for these important economic sectors.

¹ www.southbankpartnership.org

² https://docs.wixstatic.com/ugd/19a7b6_f9670363ac794d0ba5bb4c7dbcd230a9.pdf

The Council is concluding its work on its *Public Realm Delivery Framework* for Bishop's Ward and continues to progress its plans for a new *Economic and Cultural Vision* for the area. A consultation process on the *Cooperative Local Investment Plan* for the Waterloo area (Bishop's Ward) was undertaken in 2017/18 although the results, and related priorities for Neighbourhood CIL, have yet to be made public.

Support for the South Bank and Waterloo Neighbourhood Plan

SBEG and South Bank BID fully support the South Bank and Waterloo Neighbourhood Plan, and its policies. We believe that the Neighbourhood Plan and its policies will make a positive contribution to the area, if accepted by the Inspector and successful and referendum.

It is worth highlighting the references to the Neighbourhood Plan and to SoWN made in the 2018 South Bank Manifesto (see footnote 2):

- South Bank and Waterloo Neighbours (SoWN) has been established and the Neighbourhood Plan has been developed following extensive community engagement (page 8 - Progress Report, Growth and Jobs).
- (We will) support the implementation of the Neighborhood Plan and its policies on green infrastructure, open space and air quality, and streetscape and transport (page 10 - The Environment and Public Realm).
- (We will) deepen collaboration between South Bank Partnership, South Bank Forum, and SoWN to represent all South Bank stakeholders, ensuring that the Partnership's activities are conducted in a transparent manner (page 13 - Inclusivity).
- Take steps to engage proactively with residents and provide regular updates on progress towards implementing the Manifesto, through South Bank Forum and other groups that are active in the area, including SoWN.

Draft Policy P20

We note the comments made in Cabinet Member Delegated Decision Report, dated 18 October 2018, regarding draft Policy 20.

In the report, LB Lambeth officers state that:

"2.23. Draft policy P20 seeks to influence the taking of CIL expenditure decisions. However, CIL expenditure decisions are not planning matters and those decisions must be taken by the Council in accordance with all relevant policies and procedures, and criteria, which govern expenditure decisions. In the view of officers, the inclusion of a policy about CIL spend in a neighbourhood development plan, which is a document prepared by a neighbourhood forum and not by the Council itself, would not amount to a fetter of the Council's discretion when it comes to the taking of CIL expenditure decisions. However, that aside, from a planning policy perspective, officers continue to be of the view that as currently presented, draft Policy P20 does not amount to a policy in relation to the development and use of land.

2.24. The inclusion of draft Policy P20 is a matter that will need to be considered by the examiner in due course.

2.25. Notwithstanding officers' view in relation to draft Policy P20, the list of priorities for the spend of the neighbourhood element of CIL identified in the draft SoWN NDP has been fully considered and taken into account in the preparation of the emerging Waterloo CLIP.

Conclusion regarding taking the draft plan forward to the next stage

2.26. In view of their assessment in relation to Policy P20, officers have considered whether the Council is obliged to reject the draft NDP at this stage. They have come to the view, on balance, that it is permissible to allow the draft plan to proceed to publication and examination. In reaching this view, they have taken the following points into consideration:

- (i) The appropriateness of the inclusion of draft Policy P20 as a neighbourhood plan policy will need to be considered by the examiner in due course. It is a matter about which representations can be made, including by the Council as local planning authority;*
- (ii) Elements of the national policy guidance set out in the PPG (as noted above) - which is guidance, but which needs to be considered - can be said to be open to interpretation. Officers are not aware that the meaning of the relevant legislation, or the content of the PPG, has been addressed to date by the courts in relation to neighbourhood planning;*
- (iii) The draft NDP is considered to be compliant with the other requirements that need to be considered at this stage, as listed in Appendix 6.*

In respect of point 2.25, there is no evidence to support the statement that *the list of priorities for the spend of the neighbourhood element of CIL identified in the draft SoWN NDP has been fully considered and taken into account in the preparation of the emerging Waterloo CLIP*. No information on the Waterloo CLIP has been provided to SoWN or any other community or business network in the South Bank and Waterloo area.

Furthermore, the Waterloo CLIP consultation process made no reference to the Neighbourhood Plan, and the amount of community engagement that has underpinned the process of its development and finalisation, over four years.

We don't accept the statement that *Draft policy P20 seeks to influence the taking of CIL expenditure decisions*. It is our understanding that SoWN has made it clear to LB Lambeth that it fully accepts that the Council must take the lead in determining how to spend CIL but is looking to ensure that it is involved in the process of deciding where neighbourhood CIL is allocated.

We note that the inclusion of draft Policy P20 is a matter that will need to be considered by the independent examiner in due course.

I trust that these comments are helpful, and we are happy to provide further information in respect of any of the points made.

Yours faithfully,



Chief Executive

Barnett,Dominique

From: [REDACTED]
Sent: 20 December 2018 11:12
To: PlanningPolicy
Subject: SoWN Neighbourhood plan

Dear Sirs,

I wanted to convey my support for adoption of this plan. It is the result of a lot of hard work by local people and has been extensively consulted upon.

It has been disappointing that Lambeth has been slow to deal with this plan and also unnecessarily carried out it its own duplicate consultation.

I fully support the plan and hope it will lead to better decisions and an improved environment. I also hope that Lambeth will fully co-operate with it.

Regards,

[REDACTED]
[REDACTED]
[REDACTED]

20 December 2018



Lambeth Council
Planning Policy and Strategy
London Borough of Lambeth
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Brixton Hill
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Associate Director
██████████
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Dear Sir/Madam,

South Bank & Waterloo Neighbourhood Plan 2017 – 2032 Consultation December 2018

Thank you for giving us the opportunity to comment on the South Bank & Waterloo Neighbourhood Plan 2017 – 2032. We write on behalf of Guy's and St Thomas' Charity who own a 5.4 acre site in the Waterloo Neighbourhood Plan Area, known as the Royal Street site.

Established over 500 years ago, the Charity's purpose is to improve the health of people in the London boroughs of Lambeth and Southwark, two of the UK's most diverse and deprived areas. This is achieved through the Charity working with a range of partners to identify, test and scale new approaches to health and healthcare, and by supporting Guy's and St Thomas' NHS Foundation Trust through a combination of fundraising and the Charity's own philanthropic support.

The Charity has an endowment of over £800m of assets which forms the backbone of its resources. A considerable part of this comprises the Charity's property portfolio, which includes significant land holding in the neighbourhood plan area.

With regards to the development potential of the Royal Street site, the Charity are currently in the process of engaging with Lambeth Council through the Local Plan Process and via the pre-application process. The Charity are currently in the process of tendering for a development partner who will work in partnership with the Charity to deliver a development scheme onsite. The Charity are currently exploring options to optimise the site to deliver a mixed-use proposal.

The Charity recognise the importance of the planning policy framework at both borough and neighbourhood level to help it and its partners realise their respective ambitions for growth and expansion. In large, the Charity are supportive of the Neighbourhood Plans approach and strategy for growth. However, there are some matters within the plan where we seek clarification on.

The Charity is supportive of the Neighbourhood Plan's ambition to ensure that a range of genuinely affordable housing and affordable workspace is provided within the neighbourhood area. However, it is unclear within the supporting wording of the draft neighbourhood plan that the affordable housing policies (P7- P9) and affordable workspace (P14) are in accordance with the relevant policies in the Draft Lambeth Local Plan (H2 Delivering Affordable Housing, and ED2 Affordable Workspace). We therefore seek clarification within the supporting text of the Neighbourhood Plan policies that the policies are consistent with the draft Local Plan policies and therefore not create additional burden or obligation on development sites on top of those set out in Lambeth spatial strategy.

The Charity supports the principle of development providing the appropriate contributions to infrastructure and investment in the Neighbourhood Plan Area. Appropriate contributions will be provided through Community Infrastructure Levy (CIL) and S106 contributions. Regarding the specific aims to improve the Lower Marsh Market, we consider that the market will benefit from new homes and jobs in the area, increasing footfall and attracting people to the markets and stalls. This in turn should drive increased revenue which can be used to re-invest in the market. Therefore the Neighbourhood Plan's aims for growth will support the growth of existing businesses in the area and therefore CIL monies can be directed towards genuine infrastructure improvements required for the local area.

Offices and associates throughout the Americas, Europe, Asia Pacific, Africa and the Middle East..

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Registered office: 33 Margaret Street, London, W1G 0JD





We thank you again for considering these representations. We would be grateful for confirmation of receipt of these representations.

Please do not hesitate to contact us on the details at the head of this letter should you require any further information.

Yours sincerely

A handwritten signature in dark ink that reads "Savills". The script is fluid and cursive, with the letters "S", "a", and "v" being particularly prominent.

Savills

Planning Policy
Chief Executive's department
FREEPOST SE1919/14
London
SE1P 5LX

Our ref: SL/2007/101496/OR-10/PO1

Your ref: Email

Date: 20 December 2018

planningpolicy@southwark.gov.uk

Dear Sirs,

South Bank & Waterloo Neighbourhood Plan 2017 – 2032

Thank you for consulting the Environment Agency on the above. Whilst we support the plan we would wish to see it aligning with the Environment Agency Thames Estuary 2100 (TE2100) Plan. It provides a plan for improving the tidal flood defence system for the period to 2100 so that current standards of flood protection are maintained or improved taking account of sea level rise. It should also seek to ensure that it reflects the riverside strategy concept and promote an integrated approach to riverside development that takes full account of future flood risk requirements and opportunities to provide wider environmental enhancements.

New development on sites adjoining the River Thames should manage tidal flood risk in accordance with the measures set out in the TE2100 plan. We acknowledge that the borough benefits from flood defences. However, there remains a residual risk of failure of these defences, and therefore it's essential that planning decisions are taken with due consideration to the scale of this risk. We would expect any planning applications in these areas to adhere to the requirements set out in the National Planning Policy Framework and the borough Strategic Flood Risk Assessment. Where the Neighbourhood planning area is in Flood Zone 2 or 3, or is in an area with critical drainage problems, advice on the scope of the flood risk assessment required should be sought from the Environment Agency. Where the area may be subject to other sources of flooding, it may be helpful to consult other bodies involved in flood risk management as appropriate.

We note that the plan area lies within the currently modelled areas at risk of residual flooding, assuming a breach in, or overtopping of the flood defences. We routinely request that applicants consider the outputs of our tidal River Thames upstream inundation modelling, where a site is located outside the extent of our tidal River Thames breach modelling, but located within the extent of our upstream inundation modelling. This is to ensure that the development can be appropriately assessed in terms of flood risk and the appropriate measures taken within the development to ensure the impact of flooding is minimal.

In all cases where new development is proposed, the sequential approach to locating development in areas of lower flood risk should still be applied within a neighbourhood planning area.

Please do not hesitate to contact me should you wish to discuss this further.

Yours faithfully,

[Redacted signature]

Planning Specialist

Kent and South London



cc:
Neighbourhood Planning (Planning
Policy)
Lambeth Council
1st Floor - Phoenix House
10 Wandsworth Road
Vauxhall
SW8 2LL

Email: planningpolicy@lambeth.gov.uk

Transport for London



Lambeth Council Planning Policy and Strategy team

By email to planningpolicy@lambeth.gov.uk

20 December 2018

Transport for London
City Planning

5 Endeavour Square
Westfield Avenue
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London E20 1JN

Phone 020 7222 5600
www.tfl.gov.uk

Dear Lambeth Council Planning Policy and Strategy team

Draft South Bank and Waterloo Neighbourhood Plan November 2018; TfL Comments

Thank you for consulting TfL Spatial Planning. We provide comments on draft local plans in respect of London Plan and Mayor's Transport Strategy (MTS) policy. I understand a separate response will be submitted by colleagues in respect of TfL property and development interests.

TfL's interests in the Neighbourhood Area (NA) are varied, and include:

- Waterloo London Underground (LU) station, one of the busiest in London
- Westminster Bridge, Lambeth Palace Road, York Road and Stamford Street, which form part of the Transport for London Road Network (TLRN) and for which TfL is the highway authority
- Waterloo Bridge, Westminster Bridge Road and Waterloo Road which for part of the Strategic Road Network (SRN) and for which TfL and the boroughs have a joint traffic management function
- Numerous bus stops, served by a number of key central London bus routes
- A number of Cycle Hire docking stations
- Legible London signage
- River services
- Cycle and pedestrian safety to support the Mayor's 'Vision Zero' target of no killed or seriously injured (KSI) on London's roads by 2041

Generally, the transport-related policies in the draft South Bank and Waterloo Neighbourhood Plan (SBWNP) are supported, being in broad accordance with draft new London Plan (DLP) and MTS policy and direction of travel. Specific comments are set out below, either where the draft Local Plan could be improved in respect of, or is at variance with, the DLP and MTS, or where

specific wording would support determination of current major planning applications in the borough and/or TfL's statutory transport functions.

Policy P4, page 25

This policy could go further and specifically support retention of existing and developer funding for the planting of new street trees. There have been examples of development proposals in the past in the NA that risked loss of mature street trees and TfL fought hard to resist. Mature street trees in the NA are particularly valuable, and some roads would benefit from new planting.

Specific policy support in the NA to resist development that results in the loss of street trees, and to support developer contributions for new street trees, would therefore be welcomed (rather than a requirement simply 'to mitigate' any loss as per the current draft).

Specific mention of street tree planting in the 'projects table' on page 77 would be welcomed.

Policy P5 b), page 25

The policy to '*create an improved, pedestrian friendly streetscape, encouraging walking as the primary mode*', and reference to '*TfL guidance*' is supported. However, the policy and/or supporting text could be strengthened to reference the Mayor's Healthy Street Approach¹ and the expectation that developers will need to follow this approach in the design of public realm. Note that the benefits of this policy and of the Healthy Streets Approach are not restricted to air quality – there are safety, comfort, liveability and personal health benefits also.

Paragraph P5 b) page 29

Care must be taken not to discourage cycling – as some of the wording here seems to suggest - which could undermine this and other policies. Any pedestrian/cyclist conflict should be mitigated by good space design and/or provision of attractive alternative routes, rather than 'demonising' and restricting cyclist. The London Cycle Design Standards² should be followed in this respect.

Paragraph '4', page 44

This mentions the Cornwall Road bus garage as a 'strategic site allocation'. However, the draft 'partial review' Lambeth Local Plan that was recently consulted on deletes this site from the strategic site allocations list, so the draft NP should reflect this i.e. by deleting reference to the site here. The bus garage plays a vital role in supporting the central London bus network, in

¹ <https://tfl.gov.uk/corporate/about-tfl/how-we-work/planning-for-the-future/healthy-streets>

² <https://tfl.gov.uk/corporate/publications-and-reports/streets-toolkit>

particular being the 'home base' for electric buses, which of course help improve air quality in the NA and elsewhere.

Section 8.2 page 62/63

TfL would welcome policy support in the NP that requires development in the NA to contribute towards delivery of step-free access (SFA) to the Northern line and Bakerloo line northbound platforms at Waterloo LU station – these are the 'missing step free links' at this key interchange. The likely areas required for interventions to provide SFA lie under the 'Elizabeth House' site in York Road. We would welcome SFA at Waterloo LU station be included in the 'projects table' on page 77.

Policy P18, page 62

The requirement for Legible London signage provision for new development is supported. This policy/supporting text could be strengthened by specific mention of the need for public realm associated with new development to be designed in accordance with the Healthy Streets Approach, as per comment above.

Paragraph 1 c), page 63

The statement '*Rationalising buses and bus stops*' needs to be used with care. TfL is consulting on a review of central London bus services, which may result in changes to the local bus network, however the word 'rationalisation' suggests a reduction. Bus infrastructure capacity, particularly stops and stands, is often at a premium in the NA, as elsewhere in inner London, so this is unlikely to be supported by TfL.

Paragraph 1 f), page 63

This states '*Creating new walking routes through the area which separate pedestrians from motorised vehicles and, where possible, cyclists including alongside railway viaducts, under the station and through back streets*'. Following on from the comment earlier, care is needed not to discourage cycling through 'bans', as this wording implies, as this will undermine other policies in the NP, as well as local and Mayoral policy.

Para 2 page 63

Support for developer-led 'Healthy Streets' improvements to York Road would be welcomed.

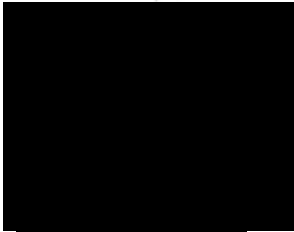
Appendix 9, page 119

'*Developer guidelines for the implementation of green infrastructure & air quality infrastructure*'. Any proposals for the TLRN will need to accord with TfL's Streetscape Guidance³. Design of public realm should follow the Healthy Streets Approach.

³ <https://tfl.gov.uk/corporate/publications-and-reports/streets-toolkit>

I hope you find these comments helpful and trust you will consider how they can be addressed in the next draft of the Local Plan. If you have any questions please feel free to contact me.

Yours faithfully



**Principal Planner
Spatial Planning**



DP4577

20th December 2018

Planning, Policy and Strategy
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Dear Sir or Madam,

**REPRESENTATIONS TO THE SOUTH BANK AND WATERLOO
NEIGHBOURHOOD PLAN**

SUBMITTED ON BEHALF OF HB REAVIS UK LIMITED

These representations to the examination version of the South Bank and Waterloo Neighbourhood Plan are submitted on behalf of our client HB Reavis UK Limited (“HB Reavis”). HB Reavis is an integrated pan-European developer operating in the United Kingdom, Poland, the Czech Republic, Slovakia and Hungary.

In 2017 HB Reavis acquired the Elizabeth House site at Waterloo. HB Reavis are now bringing forward a major commercial office scheme on the site, which will also deliver significant public realm improvements and works to alleviate capacity constraints at Waterloo Station. Both these objectives are identified as key issues within the Neighbourhood Plan.

Overall, HB Reavis supports the preparation of the Neighbourhood Plan document, and considers that the Plan meets the basic conditions at Paragraph 8 of Schedule 4B within the Town and Country Planning Act 1990 (as amended).

In relation to the specific policies within the Neighbourhood Plan referred to, HB Reavis wishes to submit the following comments to the Examination:

Policy P4

HB Reavis supports Policy P4, in particular Part A which, in recognition of the pressures on existing areas of public open space within the area, provides that all major developments should include amenity space designed for the exclusive use of the occupants, and that this should primarily be provided away from the ground floor, for example via green roofs and terraces. HB Reavis’ proposals for Elizabeth House include extensive areas of roof terraces for use by the building’s commercial occupiers, in order to enhance the quality of accommodation,



and avoid placing further pressure on the network of existing open spaces within the Neighbourhood Plan area.

Policy P5

HB Reavis also supports Policy P5, which recognises that due to existing high levels of air pollution within the area, development proposals should show how they contribute to improving this situation through the incorporation of measures such as air filtration systems. In particular, HB Reavis also supports car free development within the Neighbourhood Plan area, and policy text which supports freight consolidation arrangements given the advantages these strategies have for tackling air pollution. HB Reavis' proposals for Elizabeth House include the incorporation of a partially consolidated delivery strategy, and we support the policy encouragement for other developments that bring forward the same.

Policy P11

HB Reavis wishes to comment on Policy P11, which provides that the facades of all new developments should be treated with a permanent anti-graffiti coating. Whilst graffiti (outside of designated areas such as Leake Street arches) is to be discouraged, we do not believe this requirement is a proportionate response to the issue. HBR suggests that instead, policy simply requires the design and management of new buildings to be resilient to the threat of graffiti as appropriate, particularly at ground level and areas lacking in natural surveillance, through the use of high quality and robust materials.

Policy P14

HB Reavis supports Policy P14, which states that schemes which provide office or workspace with certain characteristics, will be encouraged. HB Reavis supports the provision of buildings and workspaces that can be subdivided to encourage flexible use and co-working platforms, and those that include a range of unit sizes. HB Reavis also supports the provision of accommodation for a range of jobs that are accessible to local people and supports working with other providers and schools to provide work placements, apprenticeships etc.

Policy P18

HB Reavis supports Policy P18 which promotes the implementation of a legible London wayfinding system, where development creates new public realm at a scale which requires pedestrian way finding. In particular, HB Reavis' proposals for Elizabeth House include the creation of significant areas of new public realm adjacent to Waterloo Station which will increase permeability across and through the site, and which will require appropriate signposting.



We respectfully request that our representations are considered during the Examination and we would be pleased to discuss our comments further. Should you require any further information, please contact [REDACTED] or [REDACTED] of this office.

Yours sincerely

DP9 LTD

Transport for London



Our Ref:CD Planning/LB/BH/SBWNP
Your Ref:

19 December 2018

Lambeth Council,
Planning Policy and Strategy,
PO Box 734,
Winchester,
SO23 5DG

Transport for London
Commercial Development
(Property Development)

3rd Floor, Wing Over Station
55 Broadway
London
SW1H 0BD

By email: planningpolicy@lambeth.gov.uk

Dear Sir/Madam,

RE: South Bank and Waterloo Neighbourhood Plan

Thank you for consulting TfL Commercial Development (TfL CD) on the South Bank and Waterloo Neighbourhood Plan. Please note that the following comments represent the views of TfL CD acting in TfLs capacity as a landowner and do not form part of any wider TfL statutory response. Our colleagues in TfL Spatial Planning may provide a separate response in respect of TfL-wide operational and land-use planning / transport policy matters as part of their statutory duties.

TfL CD is considering the opportunities for commercial and residential development in the vicinity of the IMAX roundabout in line with the adopted and Draft Lambeth Local Plans. We look forward to working collaboratively with the council and the neighbourhood forum to delivery development.

Policy P1a Green infrastructure, open space & air quality

TfL CD understands the objective of this policy is to create and retain publicly accessible open space in the neighbourhood plan area. The policy focus should be on the quality of new open space created as part of developments instead of focusing solely on quantity.

Should you have any queries on this response please do not hesitate to call [REDACTED] or email [REDACTED]

Yours sincerely,

[REDACTED]

[REDACTED]

Planning Advisor, Commercial Development



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Planning Policy and Strategy
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Dear Sirs,

**SOUTH BANK AND WATERLOO NEIGHBOURHOOD PLAN 2017 – 2032
EXAMINATION VERSION
REPRESENTATIONS ON BEHALF OF ITV PLC**

We write on behalf of ITV plc to submit representations to the Examination Version of the South Bank and Waterloo Neighbourhood Plan 2017 – 2032.

As per paragraphs 054 (ID: 41-054-20140306) and 080 (ID:41-080-20170728) National Planning Guidance (NPG) ITV request that these representations are issued to the appointed independent examiner as part of the documents for consideration at the Examination to the Plan.

Planning Context

National Planning Policy Framework

The NPPF, paragraphs 28 -30, notes that non-strategic policies should be set out by local planning authorities and communities to set out more detailed policies for specific areas, neighbourhoods or types of development.

It is stated that:

“Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies.”

The footnote to the paragraph states that Neighbourhood plans must be in general conformity with the strategic policies contained in any development plan that covers their area.

Planning Practice Guidance, Neighbourhood planning

The PPG reiterates the advice in the NPPF and sets out advice as to the basic conditions that a draft neighbourhood plan must meet in order for it to proceed to referendum. These conditions include:

*“a. having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan).
d. The making of the order (or neighbourhood plan) contributes to the achievement of sustainable development.
e. the making of the order (or neighbourhood plan) is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).”*
(PPG Paragraph 065 ID: 41-065-20140306)



The PPG expands on the advice set out at paragraph 065 noting amongst others that a neighbourhood plan “...*must not constrain the delivery of important national policy objectives.*” (paragraph 069 PPG), and that the neighbourhood plan “...*must demonstrate how it contributes to improvements in environmental, economic and social conditions.*” (paragraph 072 PPG). In order to demonstrate how a neighbourhood plan contributes to sustainable development, “...*sufficient and proportionate evidence should be presented on how the draft...guides development to sustainable solutions.*” (paragraph 072 PPG).

Paragraph 074 PPG is particularly relevant to a consideration of the neighbourhood plan and whether it is in general conformity. It states as follows:

“When considering whether a policy is in general conformity a qualifying body, independent examiner, or local planning authority, should consider the following:

- *Whether the neighbourhood plan policy or development proposal supports and upholds the general principle that the strategic policy is concerned with*
- *The degree, if any, of conflict between the draft neighbourhood plan policy or development proposal and the strategic policy*
- *Whether the draft neighbourhood plan policy or development proposal provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy*
- *The rationale for the approach taken in the draft neighbourhood plan or Order and the evidence to justify that approach*

Comments of ITV

As noted in their comments, dated 19th January 2017, to the pre-submission draft Plan, ITV is supportive of the principle of the Neighbourhood Plan and the integration of the community in the planning process.

It is important that the draft Plan is prepared having regard to the advice set out in the NPPF and PPG (part of which is summarised above) such that the strategic objectives for the area are not compromised.

The summary document “results of pre-submission consultation” sets out how the Examination Version has been prepared to respond to comments made in respect of the pre-submission document.

The following comments are made in respect of the Examination Version.

Green infrastructure, open space and air quality

The broad thrust of Policy P1 is accepted i.e. the protection of existing publicly accessible open space. In addition, whilst the wording of Policy P2 is imprecise – how is ‘the intensification of the neighbourhood area’ to be measured? – the principle of major developments making contributions to improve existing or provide new open space, where feasible, is supported.

Policy P3 relates to Green Roofs. The desire to promote increases in green area is understood. How though is “an extensive green roof” defined? It is unclear how Policy P3b will operate in practice. It is unrealistic to require developers to identify existing buildings in the neighbourhood that could be retrofitted as green roofs. How is this to be controlled? Whilst the broad principle is accepted, the policy as currently worded is imprecise and unclear in the manner in which it is to be successfully implemented.

The wording of Policy P4 is too prescriptive. The use of the word “must” should be reconsidered. The criteria listed must be assessed having regard to the circumstances of each case and to require that the criteria are met is unreasonable. Reference is made at criterion P4c to guidance at Appendix 9. This sets out a formula for determining a compensation scheme payable towards green infrastructure projects in the area. If construction work is predicted to have an impact severe enough to prevent the reasonable enjoyment of any publicly accessible space the developer can be deemed to have taken it out of public use and so should in effect lease it at a rate of £1 per sq m per day. How is “an impact severe enough” to be measured? How is any funding from the scheme to be collected? What consideration has been given to the potential viability impacts of such a charge?



Can further clarity be provided regarding the wording of Policy P6? The first sentence is imprecise in what it requires. It is assumed that the policy applies to those sites that benefit from a planning permission for redevelopment, are already cleared of buildings but have yet to commence. In reality such sites will be few and far between especially in the conservation areas of the Plan area. The second sentence implies the desire for temporary uses relates to buildings as well as cleared sites. The policy should be flexibly applied. To require all major proposals to include construction and phasing plans for temporary uses may well prove counterproductive to the bringing forward of much needed long term sustainable development.

Housing

As set out at pre-submission stage, the provision of affordable housing must be assessed having regard to scheme viability and bearing in mind the clear guidance and advice at regional and local plan level. Policy P7 and P8 sets out support for specific types of affordable housing. This general and flexible approach is welcomed as it is impractical to be prescriptive as to the type of affordable housing to be sought on schemes of development.

It is unclear how Policy P9 will be successfully applied? If there is no land available in the neighbourhood area the policy cannot be met.

Development Management

The key issues identified at this section emphasise that developers are not always aware of the needs of the local community whilst the balance between affordable housing, density and other requirements is not always appropriate. The area has, it is said, exceeded targets for hotel uses to 2026. The two policies P10 and P11 fail to reflect all these key issues, in fact focusing almost exclusively on hotel uses.

Policy P10 seeks mitigation measures alongside any hotel proposal. The principle of seeking mitigation measures associated with development proposals is of course not unreasonable, so long as justified and reasonably necessary etc. It is though unclear why hotel use (and not others) is the focus of a development management policy. The London wide demand for visitor accommodation remains high and is essential to supporting its tourist function and the wider economic benefits that follow.

In the supporting text at this section (8.3 Development Management), point 4, reference is made to the strategic site allocations in the current Local Plans (Lambeth and Southwark). The neighbourhood forum seeks input to the elements/detail of the allocations. This particular guidance note seems unnecessary. There is an established process for consultation and review of site allocations through the Local Plan Review. Lambeth is currently undertaking a limited Review of its Plan and makes specific reference to the future consideration of site allocations. The neighbourhood forum, local community and other interested parties will all have the ability to comment and have their views taken into consideration through the further Review of the Local Plan

Retail and work

The objective to secure office or workspace that provides for small scale / flexible use and in a range of unit sizes etc is understood (Policy P14). The policy is worded to “encourage” such schemes. This is appropriate. It would be unrealistic and unreasonable to require that such space is delivered associated with development proposals. The flexibility in the wording is welcomed as it acknowledges that such space will be provided where feasible/viable.

Streetscape and transport

The intent of Policy P18 is supported. The provision of up to date wayfinding signage assists in making the area more attractive and accessible to workers, visitors and residents alike. Planning applications for redevelopment are the subject of S106 discussion in this respect which often will lead to an obligation to provide funding for improved signage. The wording of the policy should be further considered. What is / who is to define “public realm of a scale which requires”?

Policy & guidance: planning gain and mitigation

The provision of S106 obligations associated with development is well established. Such obligations should only be sought where they are necessary, directly related to the development and; fairly and reasonably related in scale and



kind. The term planning gain should be re-considered. Achieving the appropriate balance of S106 obligation and CIL contributions is important to ensuring that development is able to be brought forward to deliver economic and social benefits. Policy P19 and P20 need to be applied bearing in mind this context.

ITV request that these comments are taken into consideration in the Examination of the Plan. ITV would like to be advised of the progress of the Examination and of the stages that follow.

Yours faithfully,

DP9 Ltd



20th December 2018

Re: Consultation on South Bank and Waterloo Neighbourhood Development Plan

Woodland Trust response

Thank you very much for consulting the Woodland Trust on your neighbourhood plan for South Bank and Waterloo, we very much appreciate the opportunity. Neighbourhood planning is an important mechanism for also embedding trees into local communities, as such we are very supportive of some of the policies set out in your plan.

Objectives of the South Bank and Waterloo Neighbourhood Plan

The Woodland Trust is pleased to see that your Neighbourhood Plan identifies the important role that trees play, and that opportunities should be taken to increase tree cover in appropriate locations in South Bank and Waterloo.

Trees are some of the most important features of your area for local people, and already this is being acknowledged with the adopted Lambeth Local Plan (2015), and how trees are important features which are worthy of protection. Policy Q10 identifies trees as being important features worthy of protection and it seeks to retain as many trees and other natural features as possible. Therefore, this should also be taken into account with the thematic objective for green infrastructure, open space and air quality, for your Neighbourhood Plan for South Bank and Waterloo, so that your plan seeks to preserve, protect and enhance your native landscape and mature trees and hedgerows.

Green infrastructure, open space and air quality

We are pleased to see that all of the Policies for Green infrastructure, open space and air quality do acknowledge the vital contribution of the natural environment in South Bank and Waterloo, and how your plan can assist with safeguarding this from encroachment. But this should also recognise the fact that development should not lead to loss or degradation of trees in your parish. Also, increasing the amount of trees in South Bank and Waterloo will provide enhanced green infrastructure for your local communities, and also mitigate against the future loss of trees to disease (eg Ash dieback), with a new generation of trees both in woods and also outside woods in streets, hedgerows and amenity sites.

Information can be found here: <http://www.magic.gov.uk/MagicMap.asp> and <http://www.ancient-tree-hunt.org.uk/discoveries/interactivemap/>

Ancient woodland would benefit from strengthened protection building on the National Planning Policy Framework (NPPF). On 24th July the Ministry of Housing, Communities and Local Government published the revised NPPF which states:

development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists

The Woodland Trust believe this must be given due weight in the plan making process as it shows a clear direction of travel from central Government to strengthen the protection of irreplaceable ancient woodland and trees. Therefore, whilst the criteria of Policy P4 does seek to protect trees from development and also mitigate the loss of trees, we would recommend that it should acknowledge tree protection and provision more by including the following:

‘There should be no harm to or loss of irreplaceable habitats such as ancient trees and veteran trees’

The Woodland Trust would suggest that your Neighbourhood Plan is more specific about ancient tree protection. For example, the introduction and background to the consultation on the Kimbolton Neighbourhood Development Plan (2017), identified the importance of ancient woodland, and how it should be protected and enhanced. Also, we would like to see buffering distances set out. For example, for most types of development (i.e. residential), a planted buffer strip of 50m would be preferred to protect the core of the woodland. Standing Advice from Natural England and the Forestry Commission has some useful information:

<https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences>

We would like to see the importance of trees and woodland recognised for providing healthy living and recreation also being taken into account with your Neighbourhood Plan for South Bank and Waterloo. In an era of ever increasing concern about the nation’s physical and mental health, the Woodland Trust strongly believes that trees and woodland can play a key role in delivering improved health & wellbeing at a local level. Whilst, at the same time, the Health & Social Care Act 2012 has passed much of the responsibility for health & wellbeing to upper-tier and unitary local authorities, and this is reinforced by the Care Act 2014. Also, each new house being built in your parish should require a new street tree, and also car parks must have trees within them.

Community Facilities

Whilst your Neighbourhood Development Plan does identify the fact that there are shortfalls in community provision, protecting natural features such as community space provision and this is being taken into account with policies for green infrastructure and seek to retain and enhance recreational and local green spaces, resist the loss of open space, whilst also ensuring the provision of some more. Therefore, to what extent there is considered to be enough accessible space in your community also needs to be taken into account with new housing proposals. There are Natural England and Forestry Commission standards which can be used with developers on this:

The Woodland Access Standard aspires:

- That no person should live more than 500m from at least one area of accessible woodland of no less than 2ha in size.
- That there should also be at least one area of accessible woodland of no less than 20ha within 4km (8km round trip) of people’s homes.

The Woodland Trust also believes that trees and woodlands can deliver a major contribution to resolving a range of water management issues, particularly those resulting from climate change, like flooding and the water quality implications caused by extreme weather events. This is important in the area covered by your Neighbourhood Plan because trees offer opportunities to make positive water use change, whilst also contributing to other objectives, such as biodiversity, timber & green infrastructure - see the Woodland Trust publication ***Stemming the flow*** – the role of trees and woods in flood protection - <https://www.woodlandtrust.org.uk/publications/2014/05/stemming-the-flow/>.

Woodland Trust Publications

We would like to take this opportunity to draw your attention to the Woodland Trust's neighbourhood planning microsite: <https://www.woodlandtrust.org.uk/campaigning/neighbourhood-planning/> which may give you further ideas for your plan.

Also, the Woodland Trust have recently released a planners manual which is a multi-purpose document and is intended for policy planners, such as community groups preparing Neighbourhood Plans. Our guide can be found at: <https://www.woodlandtrust.org.uk/mediafile/100820409/planning-for-ancient-woodland-planners-manual-for-ancient-woodland-and-veterandtrees.pdf?cb=8298cbf2eaa34c7da329eee3bd8d48ff>

In addition other Woodland Trust research which may assist with taking your Neighbourhood Plan forward is a policy and practice section on our website, which provides lots of more specific evidence on more specific issues such as air quality, pollution and tree disease: <https://www.woodlandtrust.org.uk/publications/>

Our evidence base is always expanding through vigorous programme of PhDs and partnership working. So please do check back or get in touch if you have a specific query. You may also be interested in our free community tree packs, schools and community groups can claim up to 420 free trees every planting season: <http://www.woodlandtrust.org.uk/plant-trees/community-tree-pack/>

If I can be of any assistance please do not hesitate to get in touch, I would be more than happy to discuss this further with you. If you require any further information or would like to discuss specific issues please do not hesitate to contact [REDACTED] [REDACTED] [REDACTED] – Planning Advisor [REDACTED] [REDACTED]
[REDACTED]

Best wishes and good luck with your plan

[REDACTED] – Local Planning Support Volunteer

On behalf of the Woodland Trust

[REDACTED]
Planning Strategy and Policy Team
London Borough of Lambeth
1st Floor Phoenix House
10 Wandsworth Road
London SW8 2LL

Department: Planning

Our reference: LDD22 /NP01/HA01
Date: 20 December 2018

By email: localplan@lambeth.gov.uk
[REDACTED]

Dear Catherine,

**Statement of general conformity with the London Plan (Planning and Compulsory Purchase Act 2004, Section 24(4)(a) (as amended);
Greater London Authority Acts 1999 and 2007;
Town and Country Planning (Local Development) (England) Regulations 2012**

RE: Southbank and Waterloo Neighbourhood Plan Regulation 16

Thank you for consulting the Mayor of London on the draft Southbank and Waterloo Neighbourhood Plan (SoWN). As you are aware, all Development Plan Documents in London, including neighbourhood plans must be in general conformity with the London Plan under section 24 (1)(b) of the Planning and Compulsory Purchase Act 2004. Paragraphs 184 and 29 of the National Planning Policy Frameworks (NPPF) 2012 and 2018, respectively also require neighbourhood plans to be consistent with the strategic policies contained in any development plan that covers their area. The Development Plan for the Southbank and Waterloo Neighbourhood Area includes the London Plan and the Lambeth Local Plan.

The Mayor has afforded me delegated authority to make detailed comments which are set out below. Transport for London (TfL) have provided comments, which I endorse, and which are attached at Annex 1.

The draft new London Plan

The Mayor published his Draft London Plan for consultation on 1st December 2017 and the Minor Suggested Changes (following consultation) on 13 August 2018. The Examination in Public of the Draft London Plan will commence in January 2019 with publication anticipated in Winter 2019/20. Once published, the new London Plan will form part of the Lambeth Development Plan and contain the most up-to-date policies.

The Southbank and Waterloo Neighbourhood Plan (SoWN) is required to be in general conformity with the current London Plan, however any policies that diverge from the Draft New London Plan will become out of date as the Draft New London Plan gains more weight as it

moves towards publication. In addition, the Draft New London Plan and its evidence base are now material considerations in planning decisions.

General

On 20 January 2017, the Mayor provided comments (reference: LDF22/NP/KR01) on the Neighbourhood Forum's earlier consultation on the Southbank and Waterloo Neighbourhood Plan, making suggestions as to how the Plan should progress in light of the London Plan. This letter follows on from that earlier advice.

The Mayor welcomes the aspirations of the Neighbourhood Plan in positively promoting green infrastructure, walking and cycling. The Plan sets out clearly the nature of projects it wishes to invest in throughout the neighbourhood area through the use of CIL and planning obligations. However, the neighbourhood plan is largely aspirational and could be more proactive in identifying suitable sites for a range of purposes including those for housing development in order to meet the neighbourhood area indicative housing requirement of 162 dwellings a year, set out in Lambeth's draft Local Plan.

Housing and the Indicative Annual Housing Requirement

The Lambeth Draft Local Plan (October 2018) sets out the indicative housing requirements for designated neighbourhood areas. The indicative annual housing requirement that has been set for the Southbank and Waterloo Neighbourhood Area is for 162 dwellings a year and this should form a fundamental element of the Neighbourhood Plan's housing policy, underpinning the selection of potentially suitable sites to secure housing delivery.

Waterloo Opportunity Area

The Southbank and Waterloo Neighbourhood Area overlaps with the Mayor's identified Waterloo Opportunity Area (OA). As such, the neighbourhood plan should recognise the significance that Waterloo OA will play in contributing the development capacity to accommodate housing, commercial development and infrastructure, in meeting the needs of the local area and the capital as a whole. The strategic approach to the regeneration and/or growth of Waterloo and other OAs is set out in Draft New London Plan Policy SD1 and Waterloo OA is identified in Table 2.1 which sets out indicative guidelines for the delivery of 1,500 new homes and 6,000 new jobs up to 2041.

Central Activities Zone (CAZ)

The Neighbourhood Area sits within London's Central Activities Zone which is defined in the Draft New London Plan Policy SD4 and its importance and functions are set out in supporting text. The Neighbourhood Plan fails to recognise the significance and the role that the CAZ plays for the local neighbourhood and the whole of London and should adopt the approach set out in the Draft New London Plan. Amendments to the neighbourhood plan should consider the wider context of the area giving more weight to the role and function of Waterloo and Southbank as part of London's CAZ.

South Bank & Waterloo Neighbourhood Plan Area, image page 14. The image intends to show the effective boundary of the entire neighbourhood plan area. However, the southwestern boundary of the neighbourhood area is not clear and should be amended so that the full extent of the boundary is visible. Doing so will help to avoid any future boundary issues. The neighbourhood area image should include the boundary of the CAZ, identify the extent of the

Waterloo OA and could include some planning designations relating to heritage assets and others.

Page 15, table and supporting text. The table suggests that the neighbourhood area is home to 2,000 residents, while the supporting text states that the area is occupied by 12,000. The correct figure should be used consistently and also the data source used should be cited.

Green infrastructure, open space & air quality

The Mayor welcomes the aspiration of the neighbourhood plan to protect, enhance and provide important green infrastructure in the neighbourhood area which aligns with his ambitions to make more than half of London green by 2050. However, the Southbank and Waterloo Neighbourhood Plan (SoWN) policies should recognise the differences in approach to the protection of open space within and outside areas of deficiency in accordance with Draft New London Plan Policy G4. The neighbourhood plan policies should also take account of the urban greening approach set out in the Draft New London Plan in Policy G5.

Policy P5 part C. While the Mayor supports the intention of the Neighbourhood Forum to improve air quality in and around Waterloo station he considers that the policy should aim to promote the use of electric vehicles and other non-polluting forms of active travel in line with the Mayor's Healthy Streets approach but should not attempt to 'restrict diesel taxis and diesel freight vehicles serving the Station' as these are not material planning considerations. See Policy T2 of the Draft New London Plan.

Policy P9. The Draft New London Plan has strengthened its approach in seeking the on-site delivery of affordable housing for major developments. This is to ensure the delivery of mixed and inclusive communities. For small housing developments of 25 dwellings or less a more flexible approach to off-site provision can be more acceptable. See Policy H2 of the Draft New London Plan. Furthermore, the SoWN should recognise that the Draft New London Plan's threshold approach to delivering affordable housing sets out that planning applications following the Viability Tested Route will be required to conduct late stage viability reviews in order to maximise the delivery of affordable housing.

Policy P10 and other guidance. London is the second most visited city in the world. The economic and regeneration benefits that tourism brings to London are great and therefore the Mayor wishes to ensure that given this importance the city is able to meet the accommodation needs of tourists. The SoWN should adopt a more positive approach in policy making for hotel development, recognising that Waterloo is identified as an Opportunity Area within the Central Activities Zone (CAZ) and as such strategically important serviced accommodation should be promoted there in accordance with Draft New London Plan Policy E10.

Policy P12. The Mayor welcomes the neighbourhood plan's support for temporary and pop-up uses in retail frontages, however, amendments to the policy should consider that retail in the capital is changing and that some centres may experience a decline in demand for retail floorspace and should therefore be adaptable to accommodate a broader range of uses which can be appropriately accommodated within retail frontages. Policies should encourage a diversity of uses within retail frontages in accordance with Draft New London Plan Policy SD6A.

Social infrastructure and culture. The Mayor welcomes the neighbourhood plans support for arts, culture and leisure activities within the CAZ in accordance with Draft New London Plan

Policy SD4 and it should be noted that both Southbank and Lower Marsh/The Cut have night-time economies of significance at the international/national and regional/sub-regional levels respectively as illustrated in Table A1.1 of the Draft New London Plan.

I hope these comments inform the development of the Southbank and Waterloo Neighbourhood Plan. If you have any specific questions regarding the comments in this letter please do not hesitate to contact [REDACTED] on [REDACTED] or at [REDACTED]

Yours sincerely

[REDACTED]

[REDACTED]
Chief Planner

Cc Florence Eshalomi, London Assembly Constituency Member
Nicky Gavron, Chair of London Assembly Planning Committee
National Planning Casework Unit, MHCLG
[REDACTED], TfL

Annex 1 – Transport for London Comments

Dear Lambeth Council Planning Policy and Strategy team

Draft South Bank and Waterloo Neighbourhood Plan November 2018; TfL Comments

Thank you for consulting TfL Spatial Planning. We provide comments on draft local plans in respect of London Plan and Mayor's Transport Strategy (MTS) policy. I understand a separate response will be submitted by colleagues in respect of TfL property and development interests.

TfL's interests in the Neighbourhood Area (NA) are varied, and include:

- Waterloo London Underground (LU) station, one of the busiest in London
- Westminster Bridge, Lambeth Palace Road, York Road and Stamford Street, which form part of the Transport for London Road Network (TLRN) and for which TfL is the highway authority
- Waterloo Bridge, Westminster Bridge Road and Waterloo Road which for part of the Strategic Road Network (SRN) and for which TfL and the boroughs have a joint traffic management function
- Numerous bus stops, served by a number of key central London bus routes
- A number of Cycle Hire docking stations
- Legible London signage
- River services
- Cycle and pedestrian safety to support the Mayor's 'Vision Zero' target of no killed or seriously injured (KSI) on London's roads by 2041

Generally, the transport-related policies in the draft South Bank and Waterloo Neighbourhood Plan (SBWNP) are supported, being in broad accordance with draft new London Plan (DLP) and MTS policy and direction of travel. Specific comments are set out below, either where the draft Local Plan could be improved in respect of, or is at variance with, the DLP and MTS, or where specific wording would support determination of current major planning applications in the borough and/or TfL's statutory transport functions.

Policy P4, page 25

This policy could go further and specifically support retention of existing and developer funding for the planting of new street trees. There have been examples of development proposals in the past in the NA that risked loss of mature street trees and TfL fought hard to resist. Mature street trees in the NA are particularly valuable, and some roads would benefit from new planting.

Specific policy support in the NA to resist development that results in the loss of street trees, and to support developer contributions for new street trees, would therefore be welcomed (rather than a requirement simply 'to mitigate' any loss as per the current draft).

Specific mention of street tree planting in the 'projects table' on page 77 would be welcomed.

Policy P5 b), page 25

The policy to '*create an improved, pedestrian friendly streetscape, encouraging walking as the primary mode*', and reference to '*TfL guidance*' is supported. However, the policy and/or supporting text could be strengthened to reference the Mayor's Healthy Street Approach¹ and the expectation that developers will need to follow this approach in the design of public realm. Note that the benefits of this policy and of the Healthy Streets Approach are not restricted to air quality – there are safety, comfort, liveability and personal health benefits also.

Paragraph P5 b) page 29

Care must be taken not to discourage cycling – as some of the wording here seems to suggest - which could undermine this and other policies. Any pedestrian/cyclist conflict should be mitigated by good space design and/or provision of attractive alternative routes, rather than 'demonising' and restricting cyclist. The London Cycle Design Standards² should be followed in this respect.

Paragraph '4', page 44

This mentions the Cornwall Road bus garage as a 'strategic site allocation'. However, the draft 'partial review' Lambeth Local Plan that was recently consulted on deletes this site from the strategic site allocations list, so the draft NP should reflect this i.e. by deleting reference to the site here. The bus garage plays a vital role in supporting the central London bus network, in particular being the 'home base' for electric buses, which of course help improve air quality in the NA and elsewhere.

Section 8.2 page 62/63

TfL would welcome policy support in the NP that requires development in the NA to contribute towards delivery of step-free access (SFA) to the Northern line and Bakerloo line northbound platforms at Waterloo LU station – these are the 'missing step free links' at this key interchange. The likely areas required for interventions to provide SFA lie under the 'Elizabeth House' site in York Road. We would welcome SFA at Waterloo LU station be included in the 'projects table' on page 77.

Policy P18, page 62

The requirement for Legible London signage provision for new development is supported. This policy/supporting text could be strengthened by specific mention of the need for public realm associated with new development to be designed in accordance with the Healthy Streets Approach, as per comment above.

Paragraph 1 c), page 63

The statement '*Rationalising buses and bus stops*' needs to be used with care. TfL is consulting on a review of central London bus services, which may result in

¹ <https://tfl.gov.uk/corporate/about-tfl/how-we-work/planning-for-the-future/healthy-streets>

² <https://tfl.gov.uk/corporate/publications-and-reports/streets-toolkit>

changes to the local bus network, however the word 'rationalisation' suggests a reduction. Bus infrastructure capacity, particularly stops and stands, is often at a premium in the NA, as elsewhere in inner London, so this is unlikely to be supported by TfL.

Paragraph 1 f), page 63

This states '*Creating new walking routes through the area which separate pedestrians from motorised vehicles and, where possible, cyclists including alongside railway viaducts, under the station and through back streets*'. Following on from the comment earlier, care is needed not to discourage cycling through 'bans', as this wording implies, as this will undermine other policies in the NP, as well as local and Mayoral policy.

Para 2 page 63

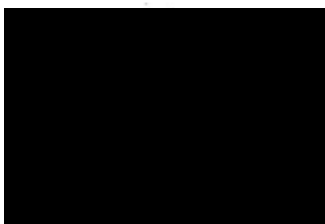
Support for developer-led 'Healthy Streets' improvements to York Road would be welcomed.

Appendix 9, page 119

'Developer guidelines for the implementation of green infrastructure & air quality infrastructure'. Any proposals for the TLRN will need to accord with TfL's Streetscape Guidance³. Design of public realm should follow the Healthy Streets Approach.

I hope you find these comments helpful and trust you will consider how they can be addressed in the next draft of the Local Plan. If you have any questions please feel free to contact me.

Yours faithfully



**Principal Planner
Spatial Planning**



³ <https://tfl.gov.uk/corporate/publications-and-reports/streets-toolkit>

Coin Street Community Builders

20 December 2018

Response to LB Lambeth consultation on South Bank & Waterloo Neighbourhood Plan

Coin Street Community Builders

1. Coin Street Community Builders (CSCB) is a company limited by guarantee established by local residents in 1984. The company is controlled by a Board, elected by CSCB members. Only people living locally can become CSCB members. The Board employs staff to manage the company on a day to day basis. Profits are not distributed but are ploughed back into CSCB's public service objective.
2. CSCB has transformed a largely derelict 13-acre site into a thriving mixed use neighbourhood by creating new co-operative homes; shops, galleries, restaurants, cafes and bars; a park and riverside walkway; and sports and community facilities - including a neighbourhood centre. It organises festivals, markets and events; provides childcare, family support, youth and community programmes, 1:1 advice, and training and employment opportunities. Income is generated from a variety of sources including leasing property, venue hire, fees for services, and managing businesses – including conferences, a gallery, and joint ventures.
3. CSCB manages and maintains the South Bank riverside walkway between the National Theatre and Sea Containers House as well as Bernie Spain Gardens and other areas of public realm. It is a founder member of South Bank Employers' Group, Jubilee Gardens Trust, South Bank BID, South Bank & Waterloo Neighbours (SoWN), and a number of collaborative local organisations.
4. Current development projects include the consented Doon Street mixed development which includes the completed Rambert headquarters and dance studios, PA1 housing and leisure centre, and PA3 office and town square. Following public consultation and a landscape design competition, CSCB will shortly be submitting plans for the re-landscaping of Bernie Spain Gardens north and Queen's Walk Gardens (between the riverside walkway and the former London Television Centre). Since 2012 CSCB has also been developing proposals for the redevelopment of Prince's Wharf and Gabriel's Wharf.

General

5. CSCB has participated in the evolution of the Neighbourhood Plan since the formation of South Bank & Waterloo Neighbours (SoWN) and pays tribute to the dedication and commitment of those who have played a far more active role than we in consulting people living or working in the area about the issues that are important to them. SoWN has then spent a number of years developing policies that, if adopted, would address these. It has been a long and, at times, frustrating experience where inspirational ideas have been watered down in order to meet what we have been advised are the requirements of the statutory process. Delays in taking the draft plan forward to examination have also meant that matters have moved forward and ideas that were once considered too radical – such as banning further hotel development in the area and only permitting 'green' taxis to pick up and set down at Waterloo Station – have been adopted or are being examined by statutory bodies.
6. This makes the 'Examination version' of the Neighbourhood Plan a very cautious, slightly bland and slightly dated document. CSCB fully supports the Neighbourhood Plan but believes that, an even more important product of the process is the body that has produced it; a body that brings together residents, local businesses, councillors, and other organisations to discuss how they can collectively help shape and improve the neighbourhood. We strongly support the re-designation of SoWN and trust that Lambeth and Southwark will support and empower the organisation going forward. Comments below bring out issues of particular interest to CSCB.

Open Space

7. CSCB is responsible for the management and maintenance of Bernie Spain Gardens and the South Bank riverside walkway between the National Theatre and Sea Containers House. We can testify to the first issue identified: "There is a lack of green open space in the area and development continues both to reduce this and put pressure on existing spaces. After considerable public consultation and an international landscape design competition, CSCB is

today submitting a planning application for the re-landscaping of Bernie Spain Gardens (north) and Queen's Walk Gardens (between the riverside walkway and former London Television Centre). We appreciate the reference to Bernie Spain Gardens in the Plan's 'Project List' although, in our particular case, it is capital investment rather than revenue support that is most important. As founder members of Jubilee Gardens Trust, we also recognise that Trust's needs for both capital and revenue support.

Housing

8. CSCB shares the concern that particular groups of people are unable to access housing in the area. We would wish to see those in need of nursing care included in P7ii.
9. CSCB struggles to recruit Early Years educators to its 84-place day care nursery for children 0-5 years old. A list of groups is given under the summary of policy on page 8 and we believe that further work is needed on who might be prioritised under the general theme of 'housing for those needed by our community'.

Air Quality

10. This is a particularly serious issue in South Bank & Waterloo and we would like to strengthen Policy P5c so that statutory authorities serve early notice that diesel vehicles will not be permitted to access Waterloo Station rather than waiting for development there which is not foreseen in the period covered by LB Lambeth's revised draft Local Plan. Similarly, we would like to see freight consolidation measures with a restrict to 'green vehicles' the servicing of the area.

Allocation of CIL

11. CSCB notes the discussion in LB Lambeth's officer report on the Neighbourhood Plan's reference to Policy P20. It is of fundamental concern to CSCB that the enormous amount of development taking place in South Bank & Waterloo has produced only very limited benefits to the community experiencing the disruption and changes involved. Roadworks (such as proposed at the IMAX roundabout) can consume large amounts of money without benefitting the local community. Sometimes there will be great differences in the perspectives of locals, of borough councils, and of mayoral bodies like TfL. We understood the purpose of the Localism Act which introduced neighbourhood planning to be to give stronger influence to local communities in shaping the future of their neighbourhoods. Watered down policies without influence over the neighbourhood CIL doesn't really hack it.

Planning
London Borough of Lambeth
PO Box 734
Winchester
SO23 5DG

20 December 2018

Dear Sir/Madam,

LONDON BOROUGH OF LAMBETH: Draft South Bank and Waterloo Neighbours Neighbourhood Plan (October 2018)

Background

These representations are submitted by Canary Wharf Group (CWG). CWG has reviewed Draft South Bank and Waterloo Neighbours Neighbourhood Plan and its supporting evidence base and welcomes this opportunity to provide comments.

This letter contains our formal comments to the consultation and we set out our position on the “soundness” of the Draft Plan having regard to the guidance set out in para. 182 of the National Planning Policy Framework (“NPPF”) dated 2012 which states that a “*sound*” plan should be “*Positively prepared*”; “*Justified*”; “*Effective*”; and “*Consistent with national policy*”. We reserve the right to make further comments as and when further material becomes available.

As a means of background, in December 2012 Braeburn Estates (comprising Canary Wharf Group (CWG) and Qatari Diar) submitted a planning (LPA application ref. 12/04708/FUL) and associated applications for the major mixed-use redevelopment of the Shell Centre, Waterloo. This application was subsequently approved by the Secretary of State on 5th June 2014.

CWG submit these representations on the plan in accordance with Regulation 16 of the Neighbourhood Planning (General) Regulations 2012 (as amended) before it is submitted to an independent examination.

We reserve the right to make further comments as and when further material becomes available.

Representations

Page 8 – open space policy summary – for consistency with policy P1, it should be made clear that this applies to publicly accessible open space.

Policy P1 – a definition of “publicly accessible open space” should be provided in the supporting text or glossary as it is currently unclear.

Policy P2 – This is considered to be double counting given that Lambeth’s Regulation 123 List (July 2018) already includes “Public Realm: The provision and improvement of the public realm, including streetscapes and parks”, therefore should be removed from the draft Plan.



Policy P3 (a) – this underestimates other requirements at roof level – plant, pvs, etc. These would also make roofs unsuitable for public access; therefore this policy should be reconsidered.

Policy P4(d) – financial compensation for temporary loss of amenity space during construction – this requires a much more detailed evidence base for this policy including how scheme viability has been considered in order for the policy to be considered sound.

Page 44, point 3 – it is not clear what this means, clarification required.

Page 44, point 4 – the landowner/developer should also be part of any discussions.

Yours faithfully

[Redacted signature]

[Redacted]
Associate Director – Planning
Canary Wharf Group

[Redacted]

Planning, Policy and Strategy
PO Box 734
Winchester
SO23 5DG

21 December 2018

Dear Sir/Madam,

Representations to the Draft South Bank & Waterloo Neighbourhood Plan 2017 – 2032 Submission Version

This representation to the Draft South Bank & Waterloo Neighbourhood Plan 2017 – 2032 Submission Version consultation is made by London & Continental Railways Ltd. ('LCR'). LCR has a number of interests within the Waterloo and South Bank Neighbourhood Plan area, including both the former Waterloo International Terminal, and the Leake Street Arches. Whilst the majority of our comments are made in the context of these two schemes, we have also included some more general comments which we hope are useful. We would therefore be grateful if the comments in this letter could be fully considered by South Bank and Waterloo Neighbours prior to the Plan being submitted for examination.

Background

For context, LCR is a Department for Transport ('DfT') owned property and regeneration company that has been managing, developing and disposing of property assets for over 20 years. LCR is a regeneration specialist with a Government remit to deliver homes, jobs and economic growth. At Waterloo LCR is working with the DfT, South Western Railway and Network Rail/Wessex Capacity Alliance to bring the former Waterloo International Terminal back into full use for domestic trains as well as ancillary retail provision within the lower levels.

Waterloo is the busiest station in UK with just under 100 million passengers passing through the station each year. Between 1994 and 2007, platforms 20-24 served as the London terminus for Eurostar services from Brussels and Paris, but these platforms have since lain vacant following the relocation of Eurostar services to St. Pancras International. The former Waterloo International Terminal is owned by the Secretary of State for Transport who has appointed LCR to manage the asset on its behalf.

LCR's principal interest at Waterloo is the Waterloo Retail scheme ('WR'), which benefits from full Planning Permission (ref 16/02973/FUL), granted 19th May 2017. Planned works include the opening of a new station entrance connecting to the new 'South Square' proposed between WR and Elizabeth House, and the creation of links to the main

concourse of Waterloo Station, London Underground, surrounding streets and bus services.

Additionally, planning permission¹ has been granted for the change of use of the railway arches beneath the Former Waterloo International Terminal ('Leake Street Arches') to provide:

- 2,170 sqm of shops, restaurants, cafes and bars (A1/A3/A4 uses); and
- Public realm improvements including a new pedestrian connection, outdoor seating, lighting, CCTV, cycle parking and other associated works.

The Leake Street Arches consent has been fully implemented, and a mixture of independent bars and restaurants is now trading in the completed units.

LCR's Comments on the Draft South Bank & Waterloo Neighbourhood Plan 2017 – 2032 Submission Version

Policy P3

Policies P1-P3 establish the Plan's requirements for green infrastructure, open space and air quality. Policy P3 sets specific requirements for the inclusion of green roofs within new developments. At bullet point B, the following requirement is set:

"If developers demonstrate that they cannot meet the requirement in P3a [to include an extensive green roof, accessible to the occupants of the building] they should make efforts to identify suitable flat roofs on existing buildings in the neighbourhood area to retrofit an extensive green roof".

Whilst LCR is supportive of the overall principles behind the inclusion of green roofs within new development, and the positive contribution such an addition makes, it is not considered that criterion b of the policy can be implemented in practice, unless a situation arises where an applicant controls other land, buildings or development opportunities within the wider area. On this basis, LCR objects to the inclusion of criterion B within Policy P3.

Identifying buildings with the potential to accommodate a green roof will give rise to multiple complex issues, including (but not limited to) construction impacts and the disruption brought upon existing tenants, including any financial implications that this impact would generate. It is not uncommon for commercial buildings in particular to have been let by the freeholder to a tenant, who may have in turn sub-let the building to further tenants. Each stakeholder's rights would need to be considered if a green roof was to be retrofitted to an existing building. The complexity of undertaking this would undoubtedly add lengthy delays to the development process. It is also not clear how the policy would be applied, if for example commercial negotiations with third parties reach an impasse (see subsequent bullet points).

Criterion B of the plan also does not appear to give any consideration to the costs of retrofitting a green roof to a building that was not initially designed to accommodate such

¹ ref 15/04713/FUL, as varied by 17/03150/VOC

a facility. For example, there will be a need to consider whether the roof that is being considered can in fact bear the load brought by the green roof, and whether significant reinforcement works are required. Again, the Plan does not consider the impact of these costs.

The Plan does not appear to be supplemented by any supporting assessment of viability, and it is not clear that a full and proper consideration of the impact of this policy criterion has been taken into account.

The Policy also does not provide a methodology for identifying the reasonable steps that a developer would be expected to take to identify an alternative green roof opportunity. Notwithstanding LCR's points above, this is an important omission insofar as for the policy to be effective, applicants will need to understand the activities they are reasonably expected to undertake. Commercially negotiating the ability to undertake works to a third party asset is a significant and lengthy process, and there is every possibility that initial approaches may not be responded to, or that negotiations will simply reach an impasse with neither party reaching a position where an agreement can be made to deliver a green roof on an alternative site.

LCR therefore recommends the removal of criterion B from Policy P3.

Policy P5

Policy P5 seeks to deliver air quality improvements around Waterloo Station. Accordingly, the policy states:

“Air Quality – Development of Waterloo Station will not be supported unless measures are introduced to restrict diesel taxis and diesel freight vehicles serving the Station”

Whilst LCR supports the principle of improving air quality in and around Waterloo Station, it is not considered that the policy as drafted represents an effective way of achieving this outcome, which is better achieved at a London-wide scale. It is important to note that the Mayor of London will be significantly expanding the Ultra Low Emission Zone ('ULEZ') across the capital. Whilst this will not apply to black cabs, it will apply to delivery vehicles and will likely have a significant positive impact upon air quality across London generally. Indeed, given the additional costs of running non-ULEZ compliant vehicles within the zone, it is expected that delivery fleets will likely upgrade to cleaner vehicles, in turn bringing benefits to Waterloo and the South Bank.

With regard to taxis, the policy as drafted risks the unintended consequence of negatively impacting upon the Black Cab operators, and potentially distorting the market in favour of other providers. It should also be noted that several proposals for schemes across Waterloo and the South Bank will be making use of freight consolidation centres and management plans, thereby reducing the number of individual deliveries that are required.

Lastly, the emphasis of the policy is placed on diesel vehicles, however the focus should be on both petrol and diesel emissions. An alternative would be to align with the requirements of the TfL ULEZ approach which uses Euro Standards (Euro 4 for petrol vehicles and Euro 6 for diesel).

LCR would therefore encourage the rewording of the policy as follows:

“Air Quality – Development of Waterloo Station ~~will not be supported unless measures are introduced to restrict diesel taxis and diesel freight vehicles serving the Station should demonstrate that opportunities to reduce emissions from non-ULEZ compliant delivery vehicles (Euro 4 for petrol vehicles and Euro 6 for diesel) have been investigated~~”.

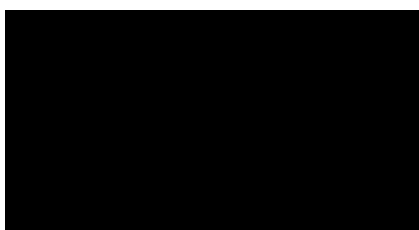
Policy P13

Policy P13 seeks to protect the vibrancy of Lower Marsh and The Cut CAZ. A key component of the policy is the inclusion of a frontage policy to ensure that A1 use class uses are above 50%. Firstly, it is not clear how this should be calculated, for example is the calculation based upon the overall length of the frontage or simply the number of units. Clarification should therefore be included within the policy. Secondly, whilst it is recognised that this requirement broadly echoes that of LB Lambeth’s Local Plan Policy PN1, consideration should nonetheless be given to the current state of the retail market, and the future application of the policy should not be at the expense of alternative non-retail proposals that would otherwise maintain the vibrancy of the area should retail in this area fall into decline. Such examples could include further A3/A4 use class uses, well designed co-working space that provides an active frontage with other complementary ancillary functions (e.g. cafés), or other arts based or creative led uses.

Appendix 2

We would also wish to draw your attention to the fifth paragraph of Appendix 2 which states that some affordable housing will be delivered in line with the Elizabeth House development. It should be noted that the current scheme promoter is not proposing to deliver affordable housing as part of the present scheme, which is intended to be submitted in early 2019. In light of the fact that Leake Street is proving to be a successful and vibrant evening economy location, it may not be preferable to promote the location of residential uses (affordable or otherwise) in this area.

Yours faithfully,




Development Director

SoWN Draft Neighbourhood Plan: Regulation 16 consultation response from the London Borough of Lambeth December 2018

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Executive summary

These comments form Lambeth Council's representation on the Regulation 16 submission version of the draft SoWN neighbourhood plan (NDP). This representation sets out Lambeth's view on the extent to which the draft NDP meets the basic conditions which are:

- a) Having regard to national policies and advice contained in guidance issues by the Secretary of State it is appropriate to make the neighbourhood plan.
- b) The making of the neighbourhood plan contributes to the achievement of sustainable development.
- c) The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).
- d) The making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations.
- e) Prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan

Lambeth still has concerns with the content of draft NDP policy P20 and whether this can be said to amount to a policy relating to the development and use of land. Lambeth requests that this is something that the examiner considers during the examination of the SoWN draft NDP. The examiner may wish to note the matters considered in the examination of the Isle of Dogs neighbourhood plan in this regard.

SoWN submitted a Basic Conditions Statement which has informed the assessment made in this representation. Section 1 of this representation sets out an assessment of each draft NDP policy against basic conditions a) and c). Section 2 of the representation sets out an assessment of the draft NDP against basic conditions b). Section 3 of the representation sets out an assessment of the draft NDP against basic conditions d) and e).

Basic conditions a) and c)

The draft NDP was formally submitted to the council on 19 June 2018. Paragraph 214 of the National Planning Policy Framework (NPPF) 2018 states that the policies in the previous Framework will apply for the purpose of examining plans where those plans were submitted on or before 24 January 2019. For neighbourhood plans 'submission' in this context means where a qualifying body submits a plan proposal to the local planning authority in accordance with regulation 15 of the Neighbourhood Planning (General) Regulations 2012. On this basis, the draft NDP will be examined against the NPPF 2012.

Lambeth is of the view that some policies in the draft NDP do not meet basic conditions a) and c). In summary:

- Draft NDP policy P1 conflicts with Local Plan policy EN1 and does not provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficient. Local Plan policy EN1 is sufficient to achieve the draft NDP's objectives.
- Draft NDP policy P2 is in general conformity with Local Plan policy EN1, but the NDP policy will cause confusion for the decision-maker and does not provide practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency. Local Plan policy EN1 is sufficient to achieve the draft NDP's objectives.
- Draft NDP policy P3 undermines strategic policies by not having regard to local character and amenity impacts when requiring green roofs.
- Draft NDP policy P4 is not in general conformity with strategic policies and is likely to cause confusion for the decision-maker. The proposed approach to mitigating the impact of construction on open spaces is not evidence based nor has it been viability tested. The NDP policy has not

had regard to the relationship between CIL and s106 monies and has not considered how the requirement for compensation will meet the planning obligation tests.

- Draft NDP policy P5 (c) conflicts with the strategic policy for Waterloo station.
- Draft NDP policy P6 meets the basic conditions but would benefit from being re-worded to make it clearer in its intent.
- Draft NDP policy P7 conflicts with the strategic approach to meeting affordable housing need and does not meet the requirements of the NPPF.
- Draft NDP policy P8 approach to minimum space standards conflicts with strategic policy and is likely to cause confusion for the decision-maker.
- Draft NDP policy P9 meets the basic conditions but it is recommend that it is amended to make clear that affordable housing is only supported off-site in very exceptional circumstances.
- Draft NDP policy P10 is in general conformity with strategic policies but criterion 3 of the NDP policy is unlikely to meet the tests for imposing conditions set out in the NPPF.
- Draft NDP policy P11 meets the basic conditions.
- Draft NDP policy P12 is not supported by adequate evidence to justify the local approach to affordable retail units and has not considered the potential impact on development viability.
- Draft NDP policy P13 introduces a local approach that is not supported by adequate evidence. Criterion (b) of the NDP policy conflicts with strategic policies on protecting residential use.
- Draft NDP policy P14 should be amended to ensure the policy is in general conformity with strategic policies and does not restrict the supply of offices in the Central Activities Zone.
- Draft NDP policy P15 meets the basic conditions.
- Draft NDP policy 16 is not in general conformity with strategic policies on social infrastructure and no evidence has been provided to justify a distinct local approach to the facilities identified in the NDP.
- Draft NDP policy P17 should be amended so that the NDP policy is clear and unambiguous and can be applied consistently by the decision-maker. Consideration also needs to be given to the relationship with designated CAZ retail frontages and the aim to protect the Lower Marsh/The Cut as a place for independent retailing and local needs.
- Draft NDP policy P18 meets the basic conditions but would benefit from being re-worded.
- The supporting rationale for draft NDP policy P19 does not have regard to the relationship between CIL and s106 monies and the tests for planning obligations set out in the NPPF.
- Draft NDP policy P20 is not in general conformity with the strategic approach to Community Infrastructure Levy and does not have regard to national policy and guidance.

Basic condition b)

SoWN's Basic Conditions Statement contains an assessment of each draft NDP policy against the economic, social and environmental principles of sustainable development. The assessment gives each policy a colour-coded score for the contribution made by the policy to sustainable development:

- Major negative contribution
- Minor negative contribution
- Negligible contribution
- Minor positive contribution
- Major positive contribution

Lambeth is of the view that some policies of the draft NDP do not make a positive contribution to sustainable development:

- Draft NDP policy P1 does not make a positive contribution to the environmental principle of sustainable development which is concerned with protecting and enhancing the natural environment by potentially allowing for the loss of open space that is not publically accessible.
- Draft NDP policy P3 does not make a positive contribution to the environmental principle of sustainable development due to the policy's potential impact on local character, particularly Lambeth's heritage assets.
- Draft NDP policy P5 does not make a positive contribution to the environmental principle of sustainable development by potentially allowing the loss of trees in return for their monetary value.
- Draft NDP policies P7 and P8 do not make a positive contribution to the social principle of sustainable development by potentially introducing restrictions on the supply of affordable housing required to meet the needs of present and future generations.
- Draft NDP policy P14 does not make a positive contribution to the economic principle of sustainable development if it is seeking to restrict the locations appropriate for office development in the neighbourhood area.

Basic condition d) and e)

- Lambeth is of the view that the draft NDP meets basic conditions d) and e). The Strategic Environmental Assessment screening report concluded, following consultation with Natural England, Historic England and Environment Agency, the draft NDP would not have significant environmental effects and therefore does not require a Strategic Environmental Assessment.
- The draft NDP is not considered to breach the Waste Framework Directive, the Air Quality Directive or the Water Framework Directive.
- There are no European sites in either Lambeth or Southwark. European sites that are within 10km of Southwark and Lambeth (or at least partially within) are: Wimbledon Common (SAC), Richmond Park (SAC), Lee Valley (SAC) and Epping Forest (SAC) (the main Epping Forest site is more than 15km away from Lambeth). The Habitats Regulations Screening Assessment on the draft NDP has not identified any likely significant effective or impact on the integrity of any European site and concluded that an Appropriate Assessment is not required.

Introduction

These comments form Lambeth Council's representation on the submission version of the draft SoWN neighbourhood plan (NDP). The representation sets out Lambeth's view on the extent to which the draft NDP meets the basic conditions.

The below sets out an overview of the timetable of the production of the draft SoWN neighbourhood plan, which has been on-going since the neighbourhood forum were first designated by Lambeth Council in February 2014.

Date	Milestone
10 February 2014	Lambeth Council designated the SoWN neighbourhood forum and neighbourhood area.
10 April 2014	Southwark Council designated the SoWN neighbourhood forum and neighbourhood area.
16 November 2016 to 20 January 2017	SoWN undertook their pre-submission consultation under Regulation 14 of the Neighbourhood Planning (General) Regulations 2012. Lambeth submitted a pre-submission consultation representation to SoWN on 17 January 2017.
19 June 2018	SoWN formally submitted their draft NDP under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012.
18 October 2018	Lambeth Council make formal decision on whether the submitted documents met the relevant statutory requirements. Decision made that, on balance, the draft NDP should proceed to formal publication and examination under Regulations 16 and 17 of the Neighbourhood Planning (General) Regulations 2012. See further commentary below.
8 November – 20 December 2018	Lambeth and Southwark formally publish the draft NDP and submission documents for representations under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012.

Consideration of legal compliance of the submission draft NDP

Following the submission of the draft neighbourhood plan, the Council was required, by the Town and Country Planning Act 1990, to make a decision whether the submitted documents meet the relevant statutory requirements. The submitted documents were assessed against the relevant statutory requirements which derive from the Town and Country Planning Act 1990, the Planning and Compulsory Purchase Act 2004 and the Neighbourhood Planning (General) Regulations 2012. This assessment concluded that, on balance, the draft NDP should proceed to being formally published by the Council and being submitted for examination under Regulations 16 and 17 of the Neighbourhood Planning (General) Regulations 2012. The full decision report can be found online [here](#).

As part of the assessment, Lambeth officers had particular regard to Policy P20 of the draft NDP and whether this can be said to amount to a policy relating to the development and use of land. The objective of the policy is to seek to have local CIL receipts allocated to specific projects following consultation with the neighbourhood forum. Lambeth officers carefully considered whether the inclusion of Policy P20 in the draft NDP as a proposed plan policy – as opposed to being included by way of supporting text, or as part of a schedule or annex to the draft plan – presents a difficulty as regards compliance with the various statutory requirements the Council was required to consider and, if it does, whether the draft plan should nonetheless proceed to the next stage of the process.

The draft NDP policy P20 seeks to influence the taking of CIL expenditure decisions. However, CIL expenditure decisions are not planning matters and those decisions must be taken by the Council in accordance with all relevant policies and procedures, and criteria, which govern expenditure

decisions. In the view of Lambeth officers, the inclusion of a policy about CIL spend in a neighbourhood development plan, which is a document prepared by a neighbourhood forum and not by the Council itself, would not amount to a fetter of the Council's discretion when it comes to the taking of CIL expenditure decisions. However, that aside, from a planning policy perspective, Lambeth officers continue to be of the view that as currently presented, draft Policy P20 does not amount to a policy in relation to the development and use of land and should be removed from the neighbourhood plan.

In view of the assessment in relation to draft NDP policy P20, Lambeth officers considered whether the Council was obliged to reject the draft NDP. Lambeth officers came to the view that, on balance, the draft NDP should proceed to publication and examination. However, officers noted that Paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 imposes a duty on the examiner to consider compliance with a range of matters, some of which overlap with the matters that Lambeth was required to consider by paragraph 6 of Schedule 4B to the 1990 Act. The examiner must consider the following:

- a) Whether the draft neighbourhood development order meets the basic conditions,
- b) Whether the draft plan complies with the provision made by or under sections 38A and 38B;
- c) Whether the area for any referendum should extend beyond the neighbourhood area to which the draft plan relates, and
- d) Such other matters as may be prescribed.

The Lambeth Cabinet Member for Planning, Investment and New Homes agreed the recommendations of the report on 18 October 2018. Lambeth still has concerns with the content of draft NDP policy P20 and request that this is something that the examiner considers during the examination of the SoWN draft NDP. The examiner may wish to note the matters considered in the examination of the Isle of Dogs neighbourhood plan in this regard.

Basic conditions

A draft NDP must meet a set of basic conditions to be put to referendum. SoWN has submitted a basic conditions statement which sets out how the neighbourhood forum considers the draft NDP meets each of the basic conditions.

The basic conditions are:

- a. Having regard to national policies and advice contained in guidance issues by the Secretary of State it is appropriate to make the neighbourhood plan.

Planning Practice Guidance (PPG) sets out that a neighbourhood plan must not constrain the delivery of important national policy objectives. The draft NDP was formally submitted to the council on 19 June 2018. Paragraph 214 of the National Planning Policy Framework (NPPF) 2018 states that the policies in the previous Framework will apply for the purpose of examining plans where those plans were submitted on or before 24 January 2019. For neighbourhood plans 'submission' in this context means where a qualifying body submits a plan proposal to the local planning authority in accordance with regulation 15 of the Neighbourhood Planning (General) Regulations 2012. On this basis, the draft NDP will be examined against the NPPF 2012.

Paragraph 16 of the National Planning Policy Framework 2012 (NPPF) is clear that those producing neighbourhood plans should support the strategic development needs set out in Local Plans. Qualifying bodies should plan positively to support local development, shaping and directing development in their area that is outside strategic elements in of the Local Plan. Paragraph 184 of the NPPF 2012 makes clear that neighbourhood plans should not promote less development than set out in the Local Plan or undermine its strategic policies. The PPG sets out that the content of the draft NDP will dictate which additional national policy is or is not a relevant consideration to take into account – this basic condition allows qualifying bodies, the independent examiner and the local

planning authority to reach a view in those cases where different parts of national policy need to be balanced.

- b. The making of the neighbourhood plan contributes to the achievement of sustainable development.

The PPG sets out that a qualifying body must demonstrate how its neighbourhood plan will contribute to improvements in environmental, economic and social conditions or that consideration has been given to how any potential adverse effects arising from the proposals may be prevented, reduced or offset. Sufficient and proportionate evidence should be presented on how the draft NDP guides development to sustainable solutions.

- c. The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).

The PPG sets out that when considering whether a policy is in general conformity the following should be considered:

- Whether the neighbourhood plan policy supports and upholds the general principle that the strategic policy is concerned with
- The degree, if any, of conflict between the draft NDP policy and the strategic policy
- Whether the draft NDP policy provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy
- The rationale for the approach taken in the draft NDP and the evidence to justify that approach

Paragraph 156 of the NPPF 2012 sets out that local planning authorities should set out the strategic priorities for the area in the Local Plan. This should include strategic policies to deliver:

- The homes and jobs needed in the area;
- The provision of retail, leisure and other commercial development;
- The provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);
- The provision of health, security, community and cultural infrastructure and other local facilities; and
- Climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape.

The development plan for the area covered by the SoWN neighbourhood area in Lambeth is made up of the London Plan 2016 (consolidated with alterations since 2016) and the Lambeth Local Plan 2015. The Waterloo Supplementary Planning Document was adopted in April 2013.

All policies in the London Plan are considered to be strategic policies as the London Plan deals with matters that are of strategic importance to London. Taking account of paragraph 156 of the NPPF 2012, the table below sets out policies in the Lambeth Local Plan 2015 that are considered to be strategic, including PN1 of the Places and Neighbourhoods chapter in relation to Waterloo.

Policy	Strategic policy
D1 Delivering and monitoring	✓
D2 Presumption in favour of sustainable development	✓
D3 Infrastructure	✓
D4 Planning obligations	✓
D5 Enforcement	✓

Policy	Strategic policy
H1 Maximising housing growth	✓
H2 Delivering affordable housing	✓
H3 Safeguarding existing housing	✓
H4 Housing mix in new developments	✓
H5 Housing standards	✓
H6 Residential conversions	✓
H7 Student housing	✓
H8 Housing to meet specific community needs	✓
H9 Hostels and houses in multiple occupation	✓
H10 Gypsy and traveller needs	✓
ED1 Key Industrial Business Areas (KIBAs)	✓
ED2 Business, industrial and storage uses outside KIBAs	✓
ED3 Large offices (greater than 1,000m ²)	✓
ED4 Work-live development	✓
ED5 Railway arches	✓
ED6 Town centres	✓
ED7 Evening economy and food and drink uses	✓
ED8 Public houses	✓
ED9 A2 uses	Non-strategic policy
ED10 Local centres and dispersed local shops	Non-strategic policy
ED11 Markets	✓
ED12 Visitor attractions, leisure, arts and culture uses	✓
ED13 Hotels and visitor accommodation	✓
ED14 Employment and training	✓
S1 Safeguarding existing community premises	✓
S2 New or improved community premises	✓
S3 Schools	✓
T1 Sustainable travel	✓

Policy	Strategic policy
T2 Walking	✓
T3 Cycling	✓
T4 Public transport infrastructure	✓
T5 River transport	✓
T6 Assessing impacts of development on transport capacity	✓
T7 Parking	✓
T8 Servicing	✓
T9 Minicabs, taxis and private hire vehicles	✓
T10 Telecommunications	✓
EN1 Open space and biodiversity	✓
EN2 Local food growing and production	✓
EN3 Decentralised energy	✓
EN4 Sustainable design and construction	✓
EN5 Flood risk	✓
EN6 Sustainable drainage systems and water management	✓
EN7 Sustainable waste management	✓
Q1 Inclusive environments	✓
Q2 Amenity	✓
Q3 Community safety	✓
Q4 Public art	✓
Q5 Local distinctiveness	✓
Q6 Urban design: public realm	✓
Q7 Urban design: new development	✓
Q8 Design quality: construction detailing	✓
Q9 Landscaping	✓
Q10 Trees	✓
Q11 Building alternations and extensions	✓

Policy	Strategic policy
Q12 Refuse/recycling storage	✓
Q13 Cycle storage	✓
Q14 Development in gardens and on backland sites	✓
Q15 Boundary treatments	✓
Q16 Shop fronts	✓
Q17 Advertisements and signage	✓
Q18 Historic environment strategy	✓
Q19 Westminster World Heritage Site	✓
Q20 Statutory listed buildings	✓
Q21 Registered parks and gardens	✓
Q22 Conservation areas	✓
Q23 Non-designated heritage assets: local heritage list	✓
Q24 River Thames	✓
Q25 Views	✓
Q26 Tall and large buildings	✓
Q27 Basement development	✓
PN1a Waterloo	✓
PN1b Waterloo	Non-strategic policy
PN1c Waterloo	✓
PN1d Waterloo	✓
PN1e Waterloo	✓
PN1f Waterloo	✓
PN1g Waterloo	✓

There is also emerging new development plan policy for the neighbourhood area. Examination in Public on the Draft New London Plan will open on 15 January 2019. The Draft Revised Lambeth Local Plan was consulted on, under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012, from 22 October 2018 to 17 December 2018. Annex 12 of the Draft Revised Lambeth Local Plan sets out what the Council proposes as strategic and non-strategic policies in the Draft Revised Lambeth Local Plan.

- d. The making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations.

- Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment (often referred to as the Strategic Environmental Assessment (SEA Directive)).
 - Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment (often referred to as the Environmental Impact Assessment (EIA) Directive). The PPG sets out this may be of relevance for neighbourhood development orders. The draft NDP does not contain any site allocations.
 - Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora and Directive 2009/147/EC on the conservation of wild birds (often referred to as the Habitats and Wild Birds Directives respectively).
 - Other European directives, such as the Waste Framework Directive (2008/98/EC), Air Quality Directive (2008/50/EC) or the Water Framework Directive may apply to the particular circumstance of a draft NDP or Order.
- e. Prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan

Regulations 32 and 33 of the Neighbourhood Planning (General) Regulations 2012 (as amended) set out two additional basic conditions to those set out in the primary legislation. Regulation 32 applies to neighbourhood plans:

- The making of the neighbourhood plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2012) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c) Regulations 2007) (either alone or in combination with other plans or projects)

SoWN submitted a Basic Conditions Statement which has informed the assessment made in this representation. Section 1 of this representation sets out an assessment of each draft NDP policy against basic conditions a) and c). Section 2 of the representation sets out an assessment of the draft NDP against basic conditions b). Section 3 of the representation sets out an assessment of the draft NDP against basic conditions d) and e).

Section 1: Assessment of draft NDP against basic conditions a) and c)

Lambeth submitted a Regulation 14 pre-submission consultation representation to SoWN on 17 January 2017 (see Appendix 1). The table in Appendix 2 sets out the differences between the Regulation 14 pre-submission draft NDP and the Regulation 15 submission draft NDP to identify the extent to which Lambeth's Regulation 14 comments have been addressed.

P1 Applications which propose any permanent reduction of existing publically accessible open space will not be supported, unless:

- a) New publically accessible open space of equivalent quantity is created within the Neighbourhood Plan area which replaces open space lost as a result of that development,*
- b) The quality, amenity value and public access of proposed open space both is as good as the lost open space and also meets the additional needs arising from the development.*
- c) In appropriate cases more or better quality open space may be required to compensate for other harm.*

Assessment against national policy and guidance

Paragraph 73 of the NPPF 2012 states that access to high quality open spaces and opportunities for sport and physical activity makes an important contribution to the health and well-being of communities. Paragraph 74 protects existing open space, sports and recreational buildings and land, including playing fields, unless:

- a) an assessment has been undertaken which has clearly shown the open space, buildings or lands to be surplus to requirements; or
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- c) the development is for alternative sports and recreational provision, the benefits which clearly outweigh the loss.

Whilst the draft NDP policy aims to meet the requirements of paragraph 74 of the NPPF by protecting open space, it does not have regard to the fact that the NPPF protects all existing open space, sports and recreational buildings and land regardless of accessibility. See also paragraph 001 (Reference ID: 37-001-20140306) of the PPG which states open space, which includes all open space of public value, can take many forms, from formal sports pitches to open areas within a development, linear corridors and country parks.

Draft NDP policy P1 is likely to cause confusion for the decision-maker when operating in parallel with Local Plan policy EN1. This goes against paragraph 17 of the NPPF 2012 which requires plans to provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency. In addition, Paragraph 041 (Reference ID: 41-041-20140306) of the PPG sets out that policies in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications.

Consideration of general conformity with the strategic policies contained in the development plan for the area

Relevant strategic policy(s) in the Lambeth Local Plan 2015 and London Plan 2016 (consolidated with alterations since 2016)	EN1 Open space and biodiversity PN1 Waterloo London Plan policy 7.18 Protecting open space and addressing deficiency
Whether the draft NDP policy supports and upholds the general principle that the strategic policy is concerned with.	The draft NDP policy does not uphold the general principle of protecting all open space. Local Plan policy EN1 protects open space regardless of ownership or accessibility. This is supported by paragraph 9.1 of the Local Plan

	<p>which states that existing open space includes Metropolitan Open Land, common land, historic parks and gardens, district and local parks, nature conservation areas, play area and adventure playgrounds, outdoor sports facilities, allotments, cemeteries and burial space, amenity land within housing estates, communal squares and gardens and the River Thames Foreshore and Thames Path. There is concern that the draft NDP will undermine this general principle by only protecting open space that is publically accessible. Table 7.2 of the London Plan does not differentiate between accessibility in its public open space categorisation/</p>
<p>The degree, if any, of conflict between the draft NDP policy and the strategic policy.</p>	<p>The policy conflicts with Local Plan policy EN1 by implying protection only for publically accessible open space. There is concern about the two policies operating in parallel (see below).</p>
<p>Whether the draft NDP policy provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining the policy.</p>	<p>This policy duplicates Local Plan policy EN1(a) but says less than the existing policy, given that the draft NDP policy would only apply to publically accessible open space. It is not clear what this policy would add to the existing one. There is no additional level of detail and offers a distinct local approach that conflicts and undermines with policy EN1 (a). The two policies working in parallel are likely to cause confusion at the level of decision-making as to when policy EN1 would need to be applied if a development proposal proposed the loss of non-publically-accessible open space. It is noted that the draft NDP contains specific guidance in Appendix 9 on the implementation of green infrastructure. This is considered sufficient in helping to deliver the objectives of Local Plan policy EN1 in the neighbourhood area.</p> <p>Lambeth notes that the policy rationale sets out the intention of the draft NDP policy is to bring the Southwark approach in line with the existing Lambeth approach (which it supports). It is recommend that that draft NDP makes clear that this policy should only apply in the Southwark part of the neighbourhood area (subject to LB Southwark's view on the policy) to ensure that the draft NDP policy does not conflict and undermine the strategic policy EN1.</p>
<p>The rationale for the approach taken in the draft NDP and the evidence to justify the approach.</p>	<p>Appendix 1 (p76) of the draft NDP states that "The net amount of publicly accessible open space in the area has been reduced through development and though Lambeth and Southwark policy resists its loss, this has not always been effectively enforced via the planning system." This statement is unsubstantiated: no evidence or examples have been provided to justify this claim nor to justify</p>

	the different approach proposed to be taken in the draft NDP from Local Plan policy EN1 (Lambeth have raised this point before with SoWN). Lambeth's policy on protection of existing open space is very strong and is always deployed. If unlawful loss of open space were to occur, this would be very strongly enforced.
Conclusion on general conformity	The policy is not in general conformity with Local Plan policy EN1 and there is concern about the two policies operating in parallel which is likely to cause confusion for the decision-maker. Local Plan policy EN1 alone is sufficient to achieve the neighbourhood plan objectives on this matter, particularly as EN1 protects all open space in the neighbourhood area regardless of accessibility.

Consideration against emerging development plan policy

It should be noted that the Draft Revised Lambeth Local Plan proposes to provide further clarification that EN1 applies to both public and private open space – paragraph 9.5 of the Draft Revised Lambeth Local Plan states that 'existing public and private open space includes Metropolitan Open Land, common land, historic parks and gardens, district and local parks, nature conservation areas, play area and adventure playgrounds, outdoor sports facilities, allotments, cemeteries and burial space, amenity areas within housing estates, communal squares and gardens, accessible roof gardens/amenity areas, areas of water the River Thames Foreshore and Thames Path in accordance with London Plan policy. Public and private open space is protected for its value in providing space for leisure, recreation and sport and for its contribution to visual amenity'.

P2 Major developments which contribute to the intensification of the neighbourhood area should contribute to the improvement of existing open spaces or provide additional publicly accessible open space where feasible.

Assessment against national policy and guidance

The draft NDP policy has regard to paragraph 73 of the NPPF 2012 which states that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. However, as set out above, the draft NDP policy says less than Local Plan policy and the inclusion of undefined terms such as ‘contribute to the intensification of the neighbourhood area’ does not provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency in accordance with paragraph 17 of the NPPF 2012. In addition, Paragraph 041 (Reference ID: 41-041-20140306) sets out that policies in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications.

Consideration of general conformity with the strategic policies contained in the development plan for the area

Relevant strategic policy(s) in the Lambeth Local Plan 2015 and London Plan 2016 (consolidated with alterations since 2016)	EN1 Open space and biodiversity PN1 Waterloo London Plan policy 5.10 Urban greening
Whether the draft NDP policy supports and upholds the general principle that the strategic policy is concerned with.	Yes it does, at the level of general principle (EN1 (d) (i) and ED1 (d) (ii)).
The degree, if any, of conflict between the draft NDP policy and the strategic policy.	There is no direct conflict, but there is a concern about the two policies operating in parallel (see below).
Whether the draft NDP policy provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining the policy.	<p>This policy duplicates Local Plan policy EN1(d)(i) but says less than the existing policy by only requiring additional publically accessible open space or improvements to existing open spaces for major developments that contribute to the intensification of the neighbourhood area. It is not clear what this policy would add to the existing one. There is no additional level of detail and/or distinct local approach.</p> <p>The policy also says less than that ED1 (d) (ii) which requires major developments in areas of open space deficiency to provide appropriate on-site provision of open space or, where this is not feasible, and where this would address needs more effectively, make financial contributions to enable the provision of new open space or improvements to the accessibility and quality of existing public open space, including their nature conservation and biodiversity value.</p> <p>The two policies working in parallel are likely to cause confusion at the level of decision-making. The lack of clarity that arises from the inclusion of terms such as “contribute to the intensification of the neighbourhood area”</p>

	without further definition would add to confusion in decision making.
The rationale for the approach taken in the draft NDP and the evidence to justify the approach.	Appendix 1 (p76) of the draft NDP states that "The net amount of publicly accessible open space in the area has been reduced through development and though Lambeth and Southwark policy resists its loss, this has not always been effectively enforced via the planning system." This statement is unsubstantiated: no evidence or examples have been provided to justify this claim (Lambeth have raised this point before with SoWN). Lambeth's policy on protection of existing open space is very strong and is always deployed. If unlawful loss of open space were to occur, this would be very strongly enforced.
Overall conclusion on general conformity	The policy is in general conformity with strategic policies but Lambeth is concerned about having two policies operating in parallel, with different wording. The draft NDP policy P2 does not add any detail or include a distinct local approach and says less than Local Plan policy. LLP EN1 alone is sufficient to achieve the draft NDP's objectives on this matter.

Consideration against emerging development plan policy

It should be noted that policy EN1 (d) (ii) of the Draft Revised Lambeth Local Plan proposes to require major developments in areas of open space deficiency and/or in areas of access to nature deficiency to provide new on-site provision of open space/access to nature improvements. Where the development proposal includes residential units, this new open space should be in addition to the external amenity space requirements in Local Plan policy H5. Where it is demonstrated to the satisfaction of the council that new on-site open space provision or access to nature improvements would not be feasible and/or effective, a payment in lieu will be sought as a planning obligation to enable the provision of new open space or improvements to the accessibility of existing open space in the vicinity of the development, including their nature conservation and biodiversity value.

P3 Green roofs

- a. *Roofs should be flat where possible and a significant proportion of the roof area should comprise an extensive green roof, accessible to the occupants of the building.*
- b. *If developers demonstrate that they cannot meet the requirements in P3a they should make efforts to identify suitable flat roofs on existing buildings in the neighbourhood area to retrofit an extensive green roof.*
- c. *Should developers demonstrate that they cannot meet the requirements of P3a and P3b, a range of other climate change mitigating approaches must be considered, including mosses and lichen, intensive green roofs.*

Assessment against national policy and guidance

The draft NDP policy has regard to paragraph 114 of the NPPF 2012 by seeking to plan positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure through the creation of green roofs. However, the requirement for all roofs to be flat does not have regard to paragraph 131 which states that in determining planning applications, local planning authorities should take account of the desirability of new development making a positive contribution to local character and distinctiveness.

Consideration of general conformity with the strategic policies contained in the development plan for the area

Relevant strategic policy(s) in the Lambeth Local Plan 2015 and London Plan 2016 (consolidated with alterations since 2016)	EN1 Open space and biodiversity EN4 Sustainable design and construction Q2 Amenity Q5 Local distinctiveness Q6 Urban design: public realm Q7 Urban design: new development Q9 Landscaping London Plan policy 5.11 Green roofs and development site environs
Whether the draft NDP policy supports and upholds the general principle that the strategic policy is concerned with.	Yes it does, at the level of general principle of increasing green infrastructure in the neighbourhood area, but there are concerns about some of the detail within the policy as set out below.
The degree, if any, of conflict between the draft NDP policy and the strategic policy.	Criterion (a) does not allow for feasibility and appropriateness to the character of the development. There will also be roofs of buildings, especially in the Waterloo area that cannot easily accommodate a green roof where there are heritage, safety or visual limitations. The draft NDP policy conflicts with Local Plan policy Q5 as the requirement for a flat roof does not take account of local character and distinctiveness, particularly as there are many conservation areas and listed buildings in the neighbourhood area. It will therefore not be appropriate for all roofs to be flat and it may not be appropriate for them to be green. The requirement for all roofs to be accessible to the occupants of the building does not take account of amenity impacts and overlooking ant the

	<p>impact on the roof's ability to support biodiversity.</p> <p>It is recommended that criterion (a) of the policy is reworded to read <i>'Where appropriate, roofs should be flat and designed to include roof planting'</i> to avoid conflict with Local Plan policy.</p> <p>Criterion (b). goes beyond the requirements of Local Plan policy EN4 by requiring developers to demonstrate that they cannot provide a green roof and requiring them to identify suitable flat rooms on existing buildings in the neighbourhood area to retrofit an extensive green roof – it is not clear whether the developer is expected to simply identify a flat roof of expected to contribute to the greening of the roof. If it is expected that the developer will contribute to the greening of the roof, the impact of this requirement on overall development viability (cumulatively with other existing policy requirements) has not been tested.</p>
Whether the draft NDP policy provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining the policy.	The draft NDP introduces a distinct local approach by requiring that all roofs are flat and accessible to building occupants without having regard to local character and impact on amenity, which undermines strategic policies.
The rationale for the approach taken in the draft NDP and the evidence to justify the approach.	<p>It is noted that the BID have previously undertaken an audit of roofs in the neighbourhood area that can be used by developers to identify suitable roofs on existing buildings.</p> <p>However, Lambeth is concerned about the statement made on Page 26 under the section titled 'Rationale for sub sections' for Policy P3a, which states:</p> <p><i>"... intensive green roof gardens for the use of the building's occupants reduced the pressure on existing open spaces and were therefore preferable to other approaches, such as brown roofs or solar panels. Alongside intensive roofs, other benefits, such as planting to improve the biodiversity of the area should be incorporated into plans for roofs. Plant machinery should where possible be installed inside the building."</i></p> <p>Lambeth does not agree. Brown roofs are an integral part of how we aim to provide a greening of our current and future infrastructure with respect to building roofs and upper floor spaces, and should not be discounted or seen as 'second preference' to intensive green roofs based on sedum and grasses alone. People can get as much benefit, both social and visual, as can wildlife, from brown roofs where they can access or see them, whereas some monoculture sedum and grass roofs soon turn out to be uninteresting and people don't have a</p>

	<p>sense of interest or investment in them. Brown roofs also offer a great way for people to get involved in biodiversity and GI, in that they encourage volunteering to care for and maintain them. In addition, intensive green roofs that the public have access to are often very difficult to provide in a way that they are safe to access and maintain. Brown roofs and non-publically accessible brown roofs, as long as they have a suitable maintenance and management plan associated with them, don't have these safety and public disturbance issues and are often far better for biodiversity than ones where public intrusion and use are high.</p> <p>We would suggest re-wording the paragraph as follows:</p> <p><i>"Roofs which provide a number of simultaneous benefits, including new open space for the enjoyment of residents, are to be supported. Local people agreed that intensive green roof gardens for the use of the building's occupants can help reduce pressure on existing open spaces. Therefore, these should be included alongside other approaches to the design and use of roofs and upper floors of buildings which include biodiversity/brown roofs and solar panels. Alongside intensive roofs, other benefits, such as planting to improve the biodiversity of the area, should be incorporated into plans for roofs and upper floors. Opportunities for local residents and groups to access, and assist in the planting and maintenance of, green roofs and similar landscaping features should be encouraged and supported, and the design of such features should aim to facilitate this. Plant machinery should where possible be installed inside the building."</i></p>
Overall conclusion on general conformity	<p>The draft NDP policy conflicts with Local Plan policies and undermines strategic policy by not having regard to local character and amenity impacts.</p>

Consideration against emerging development plan policy

It should be noted policy EN1 (f) of the Draft Revised Lambeth Local Plan applies London Plan policy G5 in relation to the urban greening factor for major developments. For other developments the council will strongly encourage inclusion of urban greening measures. Development proposals should incorporate living roofs and walls where feasible and appropriate to the character and context of the development. All proposals should include a maintenance plan for the lifetime of the development. Planning obligations may be sought to cover future maintenance of green infrastructure.

This is supported by paragraph 9.15 of the Draft Revised Lambeth Plan which sets out that development proposals should incorporate living roofs and walls but also sets out that where applications affect heritage buildings or are sited in particularly sensitive locations, considerations will be given to whether the design is appropriate to the character and context of the development, having regard to other policies in the Draft Revised Lambeth Local Plan.

P4 All major developments must meet the following criteria:

- a. *Include amenity space designed for the exclusive use of occupants. This should be provided primarily on levels away from the ground floor, for example via green roofs and terraces. Some ground floor private amenity space may be provided for the exclusive use of the building's occupants, but the majority of ground floor open space should be publicly accessible.*
- b. *Ensure that the design of publicly accessible open space incorporates public seating and enables ease of pedestrian movement.*
- c. *Have regard to 'Guidance for developers' document in Appendix 9.*
- d. *Address and mitigate any temporary major loss of amenity in surrounding public open space during construction phases through financial compensation, ring-fenced for green infrastructure projects to be delivered in the neighbourhood area, and*
- e. *Mitigate loss of any trees. Where trees must be replaced as part of redevelopment:*
 - i. *replacement trees should be planted according to the advice of a Council or independent arboricultural adviser with reference to the guidelines referred to in policy P4C, or*
 - ii. *the CAVAT model should be applied to provide compensation, ring-fenced for implementation of equivalent green infrastructure near to site.*

Assessment against national policy and guidance

The approach to mitigating the impact of construction on local open spaces has not had regard to the statutory tests in the CIL Regulations 2010 and the policy tests in paragraph 204 of the NPPF 2012 which require planning obligations to be:

- Necessary to make the development acceptable in planning terms ;
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development

The proposed formula to calculating compensation is not based on evidence nor has it been viability tested. Paragraph 174 of the NPPF 2012 makes clear that pursuing sustainable development requires careful attention to viability and costs in plan-making and that plans should be deliverable. Sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened.

As set out above, draft NDP policy P4 is likely to cause confusion for the decision-maker when operating in parallel with Local Plan policies. This goes against paragraph 17 of the NPPF 2012 which requires plans to provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency. The draft NDP policy does not have regard to paragraph 118 which states that planning permission should be refused for development resulting in the loss of aged or veteran trees found outside ancient woodland, unless the need for, and the benefits of, the development in that location clearly outweigh the loss, by allowing the loss of trees in return for their monetary value.

Paragraph 041 of the PPG (Reference ID: 41-041-20140306) sets out that policies in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. The policy contains policies that are not defined.

Consideration of general conformity with the strategic policies contained in the development plan for the area

Relevant strategic policy(s) in the Lambeth Local Plan 2015 and London Plan 2016 (consolidated with alterations since 2016)	D4 Planning obligations EN1 Open space and biodiversity H5 Housing standards Q6 Urban design: public realm
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	<p>Q9 Landscaping</p> <p>Q10 Trees</p> <p>London Plan policy 5.10 Urban greening</p> <p>London Plan policy 7.21 Trees and woodlands</p>
Whether the draft NDP policy supports and upholds the general principle that the strategic policy is concerned with.	Some elements of the draft NDP policy uphold the general principle of some strategic policies but criterion (e) does not support and uphold the general principle of Local Plan and London Plan policy (see below).
The degree, if any, of conflict between the draft NDP policy and the strategic policy.	Criterion g (ii) allows for compensation for loss of trees, which conflicts with Lambeth Local Plan policy Q10 (see below).
Whether the draft NDP policy provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining the policy.	<p>Criterion (a) duplicates H5(b) for residential development but does not provide the same level of detail. It also goes further than existing Local Plan policy by apparently requiring dedicated on-site amenity space for the occupants of major commercial developments. This requirement for dedicated space in major commercial developments may be difficult to operate in practice in every case. The draft NDP policy should include allowances for particular site circumstances and constraints as it may result in the provision of open space that is poor quality and does not serve a proper open space and biodiversity function.</p> <p>Criterion b. duplicates the requirements of LLP Q6 but does not add detail or a distinct local approach.</p> <p>Criterion c. provides additional detailed guidance that goes beyond the Lambeth Local Plan. This additional guidance is welcome.</p> <p>Criterion d. goes further than LLP policy by requiring financial compensation for temporary loss of public open space during construction. The terms of this policy need further definition if it is to be implemented effectively: what does “temporary major loss” mean in practice? How will it be measured?</p> <p>Criterion e. (i) duplicates LLP Q10 without adding any additional detail or a distinct local approach, and therefore having two policies operating in parallel is likely to cause confusion at the level of decision making. Criterion e (ii) sets out a proposed method for calculating ‘compensation’, which is not currently supported in Local Plan policy Q10.</p> <p>The draft NDP policy conflicts with Local Plan policy Q10 by allowing for compensation which would be ring-fenced for implementation of equivalent green infrastructure near to the site. This undermines strategic policies in the Lambeth Local Plan which seek to prevent the</p>

	<p>loss of trees. There is a risk that the draft NDP policy will lead to high quality trees being lost in exchange for their 'monetary value' to be spent on other green infrastructure rather than the replacement planting of trees on-site. The Council cannot support this section of the policy as it undermines the strategic policy approach of protecting trees.</p>
<p>The rationale for the approach taken in the draft NDP and the evidence to justify the approach.</p>	<p>The rationale for policy P4d on p28 sets out that the '<i>neighbourhood forum suggests a simple formula to determine the compensation which would be paid towards green infrastructure projects in the area. Coin Street Community Builders advertises a number of spaces for hire on the Coin Street Estate. The cheapest of these square metre is Doon Street Car Park, which is away from the riverside, which is priced at approximately £1 per square meter per day. Should construction work be predicted to have an impact severe enough to prevent the reasonable enjoyment of any publically accessible open space, the developer can be deemed to have taken it out of public use and should in effect lease it at the rate of £1 per square meter per day for the period of the impact. This funding should be used for improvements to green spaces in the neighbourhood area. Less impacts or impacts over a smaller area may trigger compensation at a lower rate, as determined by the planning committee. Impacts are likely to be limited to light pollution, dust and noise created by construction</i>'. Lambeth cannot accept this proposed approach – it is not based on any evidence nor has it been viability tested. It does not deal with the relationship between CIL and s106 monies either at the level of general law or in terms of the Council's Regulation 123 list. Any planning obligations would be required to meet the necessary tests (see below). It should be noted that when the Council agrees to temporarily provide a developer with an area of open space for their development, a licence for the use is secured (with a financial element) and is time-limited with a condition that the site is returned to its previous condition. Each case has to be assessed on its merits and the degree of loss, time lost and financial/reinstatement package depends on the site, area and existing purpose.</p> <p>The rationale for policy P4e on p28 of the draft NDP sets out that '<i>given the difficulty in identifying suitable locations for new street trees, other green infrastructure, including trees in on-street planters, rain gardens and green walls would be considered acceptable the policy intention is to retain existing trees in the first instance before providing alternative green</i></p>

	<i>infrastructure</i> '. The rationale for the proposed approach in the draft NDP policy cannot be supported by the Council. As set out above, there is a risk that the draft NDP policy will result in high quality trees being lost in exchange for their 'monetary value' which will not be replanted on-site but rather in the form of other types of green infrastructure. This undermines the strategic policies which seek to ensure that trees of equivalent value to the trees being lost are replanted.
Overall conclusion on general conformity	Aspects of this policy are not in general conformity with and would undermine the implementation of existing Lambeth Local Plan strategic policies, particularly criterion e. Other aspects may be difficult to implement in practice, particularly criterion a and d. Finally, some sections of the policy duplicate existing LLP policy without adding detail, and are likely to cause confusion at the level of decision-making.

Consideration against emerging development plan policy

It should be noted that policy Q10 of the Draft Revised Lambeth Local Plan sets out that in accordance with London Plan policy G7, where it is necessary to remove trees, adequate replacement planting based on the existing value of the benefits of the trees removed, determined by a cost/benefit tool such as i-tree or CAVAT, will be secured.

However, policy G7 of the Draft New London Plan makes clear that development proposals should ensure that, wherever possible, existing trees of value are retained and if planning permission is granted that necessitates the removal of trees, there should be adequate replacement based on the existing value of the benefits of trees removed, determined by, for example, i-tree or CAVAT or other appropriate valuation system. Lambeth does not agree that the suggested CAVAT methodology in the draft NDP policy is an appropriate basis across the board for assessing the value of trees in the context of the planning application process. The CAVAT methodology is not appropriate for all types of sites or all types of development – policies in the Draft New London Plan and the Draft Revised Lambeth Local Plan do not specify that the CAVAT methodology should be used for every type of site or application. Policy G5 of the Draft New London Plan also introduces the Urban Greening Factor which requires major development proposals to contribute to the greening of London by including urban greening as a fundamental element of site and building design by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage, with the focus of the policy being on-site provision.

P5 Air quality

- a. *Given the high levels of air pollution in the area, development plans must show how they contribute to the improvement of air quality in South Bank and Waterloo. Such measures include but are not limited to:*
 - i) *Replacement of developments incorporating car parking with car free developments and electric vehicle charging points, or such other technology which encourages the take up of sustainable transport*
 - ii) *Incorporation of air filtration systems to improve indoor air quality for occupants*
 - iii) *Implementation of green infrastructure*
 - iv) *The use of low-pollution vehicles during construction*
 - v) *Freight consolidation arrangements*
- b. *The neighbourhood plan has identified a network of pedestrian routes ('greenways') through the area which are situated away from heavy traffic, air pollution and noise (shown in Appendix 10). The plan supports developments along these routes which:*
 - i) *Create an improved, pedestrian friendly streetscape, encouraging walking as the primary mode as set out in local and TfL guidance*
 - ii) *Contribute to an improvement in air quality and a reduction in noise levels*
- c. *Development of Waterloo Station will not be supported unless measures are introduced to restrict diesel taxis and diesel freight vehicles serving the station.*

Assessment against national policy and guidance

Policy has regard to paragraph 124 of the NPPF 2012 which states planning policies should sustain compliance with and contribute towards EU limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and the cumulative impacts on air quality from individual sites in local areas. However, the draft NDP policy needs to have regard to paragraph 35 which sets out that plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Developments should be located and designed to give priority to pedestrian and cycle movements and have high quality public transport facilities. The draft NDP policy only references walking.

Consideration of general conformity with the strategic policies contained in the development plan for the area

Relevant strategic policy(s) in the Lambeth Local Plan 2015 and London Plan 2016 (consolidated with alterations since 2016)	T1 Sustainable travel T2 Walking T7 Parking Q6 Urban design: public realm PN1 Waterloo Site 7 Waterloo Station London Plan policy 7.14 Improving air quality
Whether the draft NDP policy supports and upholds the general principle that the strategic policy is concerned with.	The policy upholds the general principle of London Plan policy in improving air quality. Yes it does in relation to walking, but there is no reference to cycling (see below). There are concerns about the inclusion of criterion c) (see below).

<p>The degree, if any, of conflict between the draft NDP policy and the strategic policy.</p>	<p>Criterion c) of the draft NDP policy conflicts with Local Plan Site 7 which is a site specific policy for the redevelopment of Waterloo Station. It is not appropriate for the draft NDP policy to restrict redevelopment of Waterloo through imposing restrictions on diesel taxis and diesel freight vehicles. The Mayor of London is responsible for the regulation of taxis and private hire vehicles (see Mayor's Taxi and Private Hire Action Plan). The emissions from vehicles during construction of new developments is already considered as part of Air Quality and Dust Management Plans. Criterion c) should be removed from the neighbourhood plan.</p>
<p>Whether the draft NDP policy provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining the policy.</p>	<p>The Lambeth Local Plan does not have a specific policy on air quality therefore the draft NDP policy provides an additional level of detail. The policy goes further than existing London Plan policy by requiring developments to show how they contribute to the improvement of air quality in the neighbourhood area. It is not considered that this undermines the strategic policy as the methods suggested are supported by other strategic policies.</p> <p>The identification of a local network of greenways through the neighbourhood area adds detail and a distinct local approach to the strategic policy position.</p> <p>The draft NDP policy does not mention cycling which is second after walking in the sustainable travel hierarchy identified in Local Plan policy T1. The draft NDP should acknowledge the need for neighbourhood level interventions to promote cycling as well as walking. It should also be noted that car free developments are supported in the neighbourhood area but any redevelopment will still be subject to disabled parking requirements set out in Local Plan policy T7.</p>
<p>The rationale for the approach taken in the draft NDP and the evidence to justify the approach.</p>	<p>The justification on p30 for P5(c) sets out the worst measurements for air quality are situated in the tunnels beneath Waterloo Station. It goes on to say <i>"the tunnels are primarily used by taxis used by taxis serving Waterloo Station and, although a queuing system has been introduced which restricts the numbers of taxis that are allowed to join the queue, the system is not enforced and the tunnels, which should be clear of idling taxis are regularly full (see photo below). Feedback at pre-submission consultation stage was unequivocal in calling for measures which specifically dealt with this issue and SoWN would hope to engage with Network Rail as landowner and representatives of the LTDA to develop an approach to solving air</i></p>

	<p><i>pollution caused by diesel taxis</i>". It is not appropriate to use a draft NDP policy, which must be related to the development and use of land, to enforce the taxi queuing system at Waterloo station. This part of the policy should be removed.</p> <p>It is also noted that p29 sets out that on greenway, ground floor units should primarily be A1, A3 and sui generis cultural uses. This should be removed to ensure the supporting text of the policy does not conflict with draft NDP policies which seek to support these uses in appropriate locations in the neighbourhood area.</p>
Overall conclusion on general conformity	No concerns in relation to criteria a) and b) except that reference should be made to cycling. Criterion c) conflicts with the strategic policy for this site and should be removed.

Consideration against emerging development plan policy

The policy goes further than Policy SI1 Improving air quality in the Draft New London Plan which states that major development proposals must be at least air quality neutral and be submitted with an Air Quality Assessment. Master plans and development briefs for large-scale development subject to an Environmental Impact Assessment should proposal methods of achieving an Air Quality Positive approach through the new development. The draft NDP policy goes further than this by requiring that all developments must show how they contribute to the improvement of air quality in South Bank and Waterloo. It is not considered that this undermines the strategic policy as the methods suggested are supported by other strategic policies.

P6 The utilisation of vacant development sites with planning consent for temporary activity such as sports pitches and food growing is encouraged. All major proposals must be accompanied by a construction and phasing plan that identifies opportunities for temporary uses, both community and commercial. Where planning permission is required to bring sites into temporary uses, this will normally be supported.

Assessment against national policy and guidance

No concerns. Paragraph 014 (Reference ID: 21a-014-20140306) states temporary planning permission may be appropriate on vacant land/buildings to enable use for a temporary period prior to any longer term regeneration plans coming forward or more generally to encourage empty property to be brought back into use.

Consideration of general conformity with the strategic policies contained in the development plan for the area

Relevant strategic policy(s) in the Lambeth Local Plan 2015 and London Plan 2016 (consolidated with alterations since 2016)	S2 New or improved community premises EN2(a) Local food growing and production ED11(d) Visitor attractions, leisure, arts and culture uses T8 (d –f) Servicing D4 Planning obligations
Whether the draft NDP policy supports and upholds the general principle that the strategic policy is concerned with.	Yes at the level of general principle.
The degree, if any, of conflict between the draft NDP policy and the strategic policy.	There is no conflict between strategic policies and the draft NDP policy. However, the policy could benefit from re-wording to make it clearer in its intent (see below).
Whether the draft NDP policy provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining the policy.	<p>The draft NDP policy goes further than Local Plan policy by requiring all major planning applications to be accompanied by a construction and phasing plan that identifies opportunities for temporary uses, including sports pitches, food growing, commercial and community uses. It is not considered that this requirement would undermine existing Local Plan policy. Major developments are already required to provide a construction logistics plan under Local Plan policy T8, so this requirement could be incorporated into that document.</p> <p>Proposed temporary provision of both community and commercial uses would need to be assessed against the existing requirements for these types of uses set out in Local Plan policies. If considered acceptable, the provision could in principle be secured through planning obligations (subject to meeting the statutory tests for their use).</p> <p>It is suggested that the wording of the draft NDP policy is re-ordered to make it clearer in its intent: 'The utilisation of vacant development sites with planning consent for temporary community activity such as sports pitches and</p>

	food growing is encouraged <u>on all vacant development sites with planning consent</u> . All major proposals must be accompanied by a construction and phasing plan that identifies opportunities for temporary uses, both community and commercial. Where planning permission is required to bring sites into temporary uses, this will normally be supported'.
The rationale for the approach taken in the draft NDP and the evidence to justify the approach.	Noted.
Overall conclusion on general conformity	No concerns but the policy would benefit from re-wording to make it clearer in its intent.

Consideration against emerging development plan policy

Policy HC5 of the Draft New London Plan encourages the temporary use of vacant buildings and sites for creative workspace and activities.

P7 New affordable housing made available for the following target groups would be supported:

- (i) Low-to-middle income people working within the neighbourhood area*
- (ii) Elderly people from the area including those in need of live-in care*

Assessment against national policy and guidance

Paragraph 47 of the NPPF 2012 sets out that local planning authorities should use their evidence base to ensure their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market, as far as is consistent with the policies set out in this Framework. Paragraph 50 requires local planning authorities to plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes), identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand; and where they have identified that affordable housing is needed, set policies for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified.

Potential restrictions on the type of affordable housing that would be supported in the neighbourhood area will impact on the Council's ability to meet its development needs (for affordable housing) in accordance with paragraph 14 of the NPPF 2012. Paragraph 041 of the PPG (Reference ID: 41-041-20140306) sets out that policies in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It is not clear what the intention of the policy is and whether it seeks to restrict the type of affordable housing that would be supported in the neighbourhood area.

Consideration of general conformity with the strategic policies contained in the development plan for the area

Relevant strategic policy(s) in the Lambeth Local Plan 2015 and London Plan 2016 (consolidated with alterations since 2016)	<p>H2 Delivering affordable housing</p> <p>H4 Housing mix in new developments</p> <p>London Plan 2015 policies 3.11 and 3.12, Mayor's Affordable Housing and Viability Supplementary Planning Guidance,</p>
Whether the draft NDP policy supports and upholds the general principle that the strategic policy is concerned with.	<p>The draft NDP policy supports affordable housing made available for identified target groups in the neighbourhood area. Whilst the draft NDP policy does not go as far as requiring that affordable housing specifically meets these needs the implication of the policy wording could be that the neighbourhood plan would not support affordable housing that is not made available for those groups.</p> <p>Lambeth's strategic Local Plan policy on affordable housing exists to meet housing need at a borough-wide level and is not consistent with an approach that seeks to ring-fence homes for those already in a particular area. The equalities impact of this type of approach would need to be assessed and considered prior to the Council being able to take a decision to make a neighbourhood plan that includes such a policy.</p> <p>If housing policy is framed towards providing one type of product, there is a risk that that is all developers will offer, at the expense of wider housing need. Therefore, whilst Lambeth</p>

	<p>understands the intention behind the proposed policy, it cannot agree that it supports and upholds the general principle that Local Plan policy H2 is concerned with.</p> <p>Lambeth's strategic approach on affordable housing is consistent with London Plan's approach to affordable housing.</p> <p>A restrictive neighbourhood-level approach would undermine the Mayor's basic principle of flexibility within the stock of affordable housing London-wide (see Affordable Housing and Viability SPG).</p>
The degree, if any, of conflict between the draft NDP policy and the strategic policy.	The principle of general needs affordable housing being made available on a restricted basis to particular sections of the existing Waterloo population conflicts with the strategic policy approach to provide affordable housing to meet borough-wide need.
Whether the draft NDP policy provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining the policy.	The proposed distinct local approach would undermine the existing strategic policy approach, for the reasons explained above.
The rationale for the approach taken in the draft NDP and the evidence to justify the approach.	<p>It is noted that the Basic Conditions Statement sets out that the policy seeks to ensure that types of housing less commonly seen in the neighbourhood plan area are encouraged but not enforced. The Basic Conditions Statement also sets out that the policy does not seek to restrict or not support other types of housing delivered in line with need. However, the draft NDP does not include or provide quantitative evidence to support its assertions about the housing need issues in the neighbourhood area. The evidence appears to be anecdotal based on opinions expressed at consultation.</p> <p>With regard to older people, the Council's evidence is that the north of the borough is already well provided for through specialist older people's housing. See the table on the below.</p> <p>In relation to proposed provision of affordable housing for local workers, it is not clear how this would work in practice when people change jobs (likely to be frequent, particularly in the hospitality sector in central London). Again, no quantitative evidence is provided to support the anecdotal statements about the perceived problem. Recruitment issues as a result of a shortage of genuinely affordable housing are affecting many sectors in most parts of London. The solution is most likely to be effective at the level of London-wide strategic housing policy (increasing overall supply and affordability) rather than neighbourhood-specific restrictions.</p>

Overall conclusion on general conformity	The policy is not in general conformity with Lambeth's strategic policy H2 on affordable housing, for the reasons set out above. It is also not consistent with the Mayor's London-wide strategic policy approach to affordable housing.
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	Percentage of Lambeth's over 75's	Percentage of current and planned specialist older people's housing %
North Lambeth	13.9	23.4
Stockwell and Area	13.4	11.2
Brixton & Area	22.3	23.4
Clapham & Area	12.0	10.1
West Norwood	15.2	10.6
Streatham	23.2	21.3

Source: LBL Housing, based on data used in the Strategic Housing For Older People (SHOP) modelling tool

<http://www.housinglin.org.uk/Topics/browse/HousingExtraCare/ExtraCareStrategy/SHOP/SHOPAT/>

Consideration against emerging development plan policy

Lambeth's strategic approach on affordable housing is consistent with the Draft New London Plan's London-wide approach to affordable housing.

P8 *Proposals which incorporate features to accommodate one or more of the target groups identified in P7 will be supported. These include, but are not limited to:*

- i) *Co-housing*
- ii) *Unit sizes that maximise space and affordability by closely aligning with minimum space standards The London Plan*

Assessment against national policy and guidance

Given this policy flows from policy P7 the same concerns apply. Paragraph 041 of the PPG (Reference ID: 41-041-20140306) sets out that policies in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It is not clear what the intention of the policy is and whether it seeks to restrict the type of affordable housing that would be supported in the neighbourhood area. It is not clear what is being meant by this policy which is likely to cause confusion for the decision-maker and does not provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency.

Consideration of general conformity with the strategic policies contained in the development plan for the area

Relevant strategic policy(s) in the Lambeth Local Plan 2015 and London Plan 2016 (consolidated with alterations since 2016)	<p>H2 Delivering affordable housing</p> <p>H4 Housing mix in new developments</p> <p>H5 Housing standards</p> <p>London Plan 2015 policies 3.11 and 3.12, Mayor's Affordable Housing and Viability Supplementary Planning Guidance,</p>
Whether the draft NDP policy supports and upholds the general principle that the strategic policy is concerned with.	<p>See the comments on P7 above. In addition, the Lambeth Local Plan has a strategic borough-wide policy approach on housing mix in new developments (H4). Housing standards policy (H5) is also strategic and already requires application of London Plan minimum housing standards.</p> <p>It is not entirely clear what is being suggested by this policy, which is likely to cause confusion at the level of decision-making. If it is suggested that minimum standards can never be exceeded, this is not appropriate.</p> <p>Similarly, if it is being suggested that in some cases minimum standards need not to be met, that is also problematic because it would undermine the strategic London-wide approach to minimum housing standards set out in the London Plan. It is not clear whether the draft NDP policy is implying that minimum standards do not need to be met so long as they 'closely align' with minimum standards in the London Plan.</p> <p>Notwithstanding the comments above, it is understood that criterion (ii) should read '<i>units sizes that maximise space and affordability by closely aligning with minimum space standards in the London Plan</i>'</p>

The degree, if any, of conflict between the draft NDP policy and the strategic policy.	As above.
Whether the draft NDP policy provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining the policy.	All the points made in relation to P7 also apply to this policy. There is no concern with co-housing in principle, so long as all the requirements of Lambeth's Local Plan strategic housing policies are addressed. There is concern that the intention of the draft NDP policy is to allow developments to not meet the minimum space standards or never exceed them which undermines the strategic policies on housing standards.
The rationale for the approach taken in the draft NDP and the evidence to justify the approach.	Lambeth does not agree with the statement <i>'Given that national policy is that affordable rents are up to 80% market rents, reducing unit sizes to the minimum standards set out in the London Plan may be one of the few opportunities to preserve mixed communities in the neighbourhood'</i> . It is not appropriate for the draft NDP policy to suggest that minimum standards can never be exceeded.

Consideration against emerging development plan policy

Policy H5 of the Draft Revised Lambeth Local Plan makes clear that proposals for new residential will be expected to meet the minimum private internal space standards set out in London Plan policy D4.

P9 Where affordable housing cannot be delivered on site, consideration should be given to making land in the neighbourhood area available to a local designated Community Land Trust to bring forward affordable housing in partnership with a registered housing provider.

Assessment against national policy and guidance

Paragraph 50 of the NPPF 2012 makes clear that local planning authorities should where they have identified that affordable housing is needed, set policies for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified and the agreed approach contributes to the objective of creating mixed and balanced communities.

Consideration of general conformity with the strategic policies contained in the development plan for the area

Relevant strategic policy(s) in the Lambeth Local Plan 2015 and London Plan 2016 (consolidated with alterations since 2016)	H2 Delivering affordable housing London Plan policy 3.12 Negotiating affordable housing on individual private residential and mixed-use schemes
Whether the draft NDP policy supports and upholds the general principle that the strategic policy is concerned with.	Yes it does at the level of general principle. However, it should be noted that the strategic policies allow off-site delivery of affordable housing only in very exceptional circumstances.
The degree, if any, of conflict between the draft NDP policy and the strategic policy.	There is no direct conflict, but SoWN should be mindful of requirements set out in paragraphs 5.12 and 5.13 of the Lambeth Local Plan. In all cases affordable housing will be secured through a legal agreement to ensure it remains at an affordable price for future eligible households in perpetuity (or that the subsidy is recycled for alternative affordable housing provision).
Whether the draft NDP policy provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining the policy.	Delivery of affordable housing through a local Community Land Trust in Waterloo does potentially add a distinct local approach to that set out in the Lambeth Local Plan, subject to meeting all the requirements of the strategic policy approach. However, a Community Land Trust may not necessarily be the most effective way of increasing delivery of affordable housing quickly.
The rationale for the approach taken in the draft NDP and the evidence to justify the approach.	Noted.
Overall conclusion on general conformity	No concern so long as all the requirements of Lambeth Local Plan policy H2 are met. It is recommended that the policy clarifies that off-site affordable housing will only be permitted in exceptional circumstances, with the priority being for on-site provision, in accordance with strategic policies.

Consideration against emerging development plan policy

As above.

P10 Any hotel proposal must mitigate the development's impact on the existing dynamic of the residential, business and social communities, including:

1. *Provide as much retail frontage as possible to a high street, where the units made available only have high street access.*
2. *Provide space that is beneficial and available to the wider community such as 'incubator space', screening room, community meeting and function rooms, fitness suites and swimming pools.*
3. *Where possible any 'in-house' food and beverage offer should be limited (minibars, bars, restaurants and cafes closed to the public) so that hotel guests are encouraged to use local traders*
4. *Developments should continue to engage with local recruitment mechanisms to ensure local candidates are employed wherever possible.*

Assessment against national policy and guidance

Paragraph 206 of the NPPF 2012 states that planning conditions should only be imposed where they are:

- Necessary
- Relevant to planning and;
- To the development to be permitted;
- Enforceable;
- Precise; and
- Reasonable in all other aspects

Any conditions to be applied to new hotel development would need to meet these tests. It is unlikely that conditions to limit any 'in-house food and beverage, particularly mini-bars' would meet these tests.

Any benefits secured through s106 agreements must meet the statutory tests for planning obligations. <http://planningguidance.communities.gov.uk/blog/guidance/planning-obligations/planning-obligations-guidance/>

Consideration of general conformity with the strategic policies contained in the development plan for the area

Relevant strategic policy(s) in the Lambeth Local Plan 2015 and London Plan 2016 (consolidated with alterations since 2016)	ED12 Hotels and other visitor accommodation PN1 Waterloo ED6 Town centres ED14 Employment training (and Lambeth Employment and Skills SPD) London Plan 2015 Policy 4.5
Whether the draft NDP policy supports and upholds the general principle that the strategic policy is concerned with.	Strategic policies in both the current London Plan and Lambeth Local Plan 2015 support in principle new hotels in the Central Activities Zone, which includes Waterloo. The overall principle of requiring hotels to mitigate their impact on the existing dynamic of the residential, business and social communities upholds the general principle of Local Plan policy ED12 which states that all visitor accommodation must not unacceptably harm the balance and mix of uses in the area, including services for the local residential community. The requirement for ground floor active frontage uses in town centres is consistent with the existing

	<p>requirement in Local Plan policy ED6, although consideration will need to be given to paragraph 6.25 of the Local Plan and the impact on the CAZ frontages.</p> <p>The principle of contributions to employment and training is also consistent in principle with Local Plan policy ED14 and the Council's emerging draft Employment and Skills SPD.</p>
The degree, if any, of conflict between the draft NDP policy and the strategic policy.	The draft NDP policy does not conflict with current strategic policies. Consideration of the relationship with the Draft Revised Lambeth Local Plan is set out below the table.
Whether the draft NDP policy provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining the policy.	The draft NDP policy goes further than existing Local Plan policies by placing additional requirements on hotel development – these do not undermine the strategic policy. However, criterion 3 needs to be considered against the tests for planning conditions set in the NPPF.
The rationale for the approach taken in the draft NDP and the evidence to justify the approach.	The evidence and rationale set out in the draft NDP relate to views expressed by local people and perceived issues. There does not appear to be any analysis of the actual benefits or issues arising from hotel development.
Overall conclusion on general conformity	The draft NDP policy is in general conformity with the current strategic policies on hotel development although the provision of retail frontages will need to be considered against other development plan policies.

Consideration against emerging development plan policy

It should be noted that policy ED14 of the Draft Revised Lambeth Local Plan proposes that no additional visitor accommodation will be supported in Waterloo within the boundary of the Central Activities Zone due to the existing numbers and concentration of hotels in Waterloo. The proposed approach in the Draft Revised Lambeth Local Plan is consistent with the approach in policy E10 of the Draft New London Plan which states that the intensification of serviced accommodation should be resisted where this compromises local amenity or the balance of local land uses.

Depending on the outcome of the examination of the Revised Lambeth Local Plan, there is a risk that the NP policy may conflict with the new development plan for the borough. Section 38 of the Planning and Compulsory Purchase Act states that where there is conflict between policies, the conflict must be resolved in favour of the policies contained in the most recent plan.

P11 The facades of all new developments should be treated with a permanent anti-graffiti coating

Assessment against national policy and guidance

The draft NDP policy has regard to paragraph 58 of the NPPF 2012 which states planning policies should aim to ensure developments create safe and accessible environments.

Consideration of general conformity with the strategic policies contained in the development plan for the area

Relevant strategic policy(s) in the Lambeth Local Plan 2015 and London Plan 2016 (consolidated with alterations since 2016)	Q3 Community safety London Plan policy 7.3 Designing out crime
Whether the draft NDP policy supports and upholds the general principle that the strategic policy is concerned with.	The draft NDP policy upholds the general principle of Local Plan policy Q3 which expects development to utilise good design to ensure that materials and construction details are robust, durable and resistant to malicious damage. Paragraph 10.7 of the Lambeth Local Plan states that the use of anti-graffiti treatments is encouraged.
The degree, if any, of conflict between the draft NDP policy and the strategic policy.	No conflict.
Whether the draft NDP policy provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining the policy.	The policy duplicates policy Q3.
The rationale for the approach taken in the draft NDP and the evidence to justify the approach.	<p>P43 sets out that <i>'the SoWN draft NDP area features two well-known sanctioned graffiti areas, in Leake Street and at the Southbank Centre undercrofts. Graffiti elsewhere in the neighbourhood is removed from the facades of buildings and many developments do not make adequate provision to ensure removal is effective, either by using porous materials or inadequately treating facades. Due to the high cost of graffiti remove and the sense of blight non-removal or poor removal creates, developers should adequately treat new buildings to ensure removal can be achieved quickly and effectively'</i>.</p> <p>Whilst the desire to protect new developments from graffiti is noted and is supported by Local Plan policy Q3, the wording of the policy could benefit from clarification. There are numerous anti-graffiti coatings on the market. Some prevent spray paint from adhering to the building in the first place (these are non-sacrificial) whereas others are sacrificial coatings which come off when the graffiti is removed and have to be re-applied. Lambeth is not aware of any being permanent to the extent of not requiring re-application. It is therefore recommended that the policy is re-worded to read "Where they front publically accessible spaces the ground floor (and any relevant upper floor) elevations of new</p>

	development shall be treated with a permanent anti-graffiti coating which shall be maintained for the lifetime of the development”.
Overall conclusion on general conformity	The policy is in general conformity with strategic policies but could benefit from clarification as set out above.

Consideration against emerging development plan policy

No concerns.

Comments on 'Development Management: Other guidance' on p43 of the draft NDP:

Lambeth notes the draft NDP's support for the Lambeth Development Viability SPD and the use of review mechanisms to deliver affordable housing. However, the Council cannot support the statement that *'the development proposals of charities and public bodies should be exempt from this obligation'*. The Mayor's Affordable Housing and Viability SPG makes clear that land in public ownership should make a significant contribution towards the supply of new affordable housing and that the Mayor has an expectation that residential proposals on public land should deliver at least 50 per cent affordable housing to benefit from the Fast Track Route. Schemes that do not provide 50 per cent affordable housing will be considered under the Viability Tested Route and will be subject to the relevant review mechanisms. This applies to land that is owned or in use by a public sector organisation, or a company or organisation in public ownership, or land that has been released from public ownership and on which housing development is proposed. For this reason, the development proposals of public bodies are not exempt from review mechanisms as suggested by the neighbourhood plan.

The Council's approach to pre-application engagement is set out in its Statement of Community Involvement 2015. The Council encourages consultation with local groups for every pre-application proposal, but the Council cannot require this where there is no pre-application process. Pre-application engagement with the community should be carried out by the developer, who can then feed responses in to any pre-application discussions with the Local Planning Authority. Whilst Lambeth does not support the proposal for a local 'development review panel', we would be happy to have a discussion with SoWN about promoting best practice in pre-application engagement by developers and how this can be factored into the PPA process.

Guidance point 3 of the draft NDP states that 'post consent, the panel should be notified of and invited to comment on the discharge of 2 years where a review shows that negative impacts have arisen from the development'. It is not clear what is meant by this but this proposed requirement to consult on the discharge of conditions is not in line with statutory consultation requirements for planning applications.

P12 *Within appropriate locations for retail uses, the NP supports proposals that provide retail units with the following characteristics:*

- (i) *Interiors fitted out to RIBA category B standards and made available for temporary or pop-up use*
- (ii) *A range of unit sizes including units with shop floors under 20 sq/m.*

Assessment against national policy and guidance

The support for development proposals which provide a range of unit sizes supports the principle of providing customer choice and a diverse retail offer and which reflect the individuality of town centres. However, paragraph 158 of the NPPF 2012 makes clear that policies should be based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area. In addition, paragraph 174 of the NPPF 2012 makes clear that pursuing sustainable development requires careful attention to viability and costs in plan-making and that plans should be deliverable. Sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. Paragraph 041 (Reference ID: 41-041-20140306) requires neighbourhood plan policies to be supported by appropriate evidence. The draft NDP policy has not provided adequate evidence to justify its local approach to affordable retail units nor has it considered the impact on development viability.

Consideration of general conformity with the strategic policies contained in the development plan for the area

Relevant strategic policy(s) in the Lambeth Local Plan 2015 and London Plan 2016 (consolidated with alterations since 2016)	PN1 Waterloo ED6 Town centres London Plan policy 4.7 Retail and town centre development London Plan policy 4.8 Small shops
Whether the draft NDP policy supports and upholds the general principle that the strategic policy is concerned with.	Yes it does.
The degree, if any, of conflict between the draft NDP policy and the strategic policy.	There is no direct conflict but inadequate evidence has been provide to justify the approach set out in the policy rationale in relation to affordable retail units (see below).
Whether the draft NDP policy provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining the policy.	<p>The rationale for the policy sets out that <i>'developers should ensure that units are ready to trade and offer them up at a discounted rent to young business if there is a delay while permanent trades are secured. Developers should work with the planning authority and community to identify tenants for six month affordable leases should units not be let three months after completion'</i></p> <p>Local Plan policy ED6 requires major development proposals to re-provide on affordable terms any small shop premises that would be lost and ensure that these are available at the same time as the main elements of the development, subject to viability. This will be secured through conditions or, where appropriate, planning obligations. London Plan policy 4.8 states that in considering proposals</p>

	<p>for large retail developments, boroughs should consider imposing conditions or seeking contributions through planning obligations where appropriate, feasible and viable to provide or support affordable shop units suitable for small or independent retailers and service outlets.</p> <p>The draft NDP policy goes further than both of these policies by requiring six month affordable leases should any retail unit not be let three months after completion. Whilst this policy does not undermine the strategic policy approach of securing affordable retail units, there is concern that the policy has not considered the impact on development viability nor provided adequate evidence to justify the approach.</p>
The rationale for the approach taken in the draft NDP and the evidence to justify the approach.	<p>The rationale on p50 sets out that '<i>new businesses, entrepreneurs and pop-ups are unable to fund the costs of fit out, even where empty units are affordable</i>'. No evidence of this has been provided.</p> <p>The Basic Conditions Statement states that '<i>the latest Lambeth Retail Needs Assessment was prepared in 2013, which stated that around 12% of units on Lower Marsh and The Cut were vacant and suggests that there would be benefit to encouraging temporary occupiers for the benefit of the vitality and viability of the two main high streets in the area</i>'. It should be noted that updated evidence based on Goad data (at May 2018) suggests a vacancy rate of 6.7% on the Lower Marsh/The Cut CAZ frontage.</p> <p>The draft NDP has not provided sufficient evidence to justify the local approach of requiring 6 month affordable leases for all retail units that do not have permanent tenants after 3 months. The draft NDP policy also not had considered the impact on development viability of this policy approach.</p>
Overall conclusion on general conformity	<p>Whilst the policy does not conflict or undermine the strategic policies, it is considered that that inadequate evidence has been provided to justify the local approach to affordable retail units.</p>

Consideration against emerging development plan policy

The draft NDP policy goes further than E9 of the Draft New London Plan which requires that large-scale commercial development proposals (containing over 2,500sqm gross A class floorspace) should support the provision of small shops and other commercial units (including affordable units where there is evidence of local need). The draft NDP policy has not provided evidence of local need to justify the requirement for affordable retail units.

P13 In the Lower Marsh and The Cut CAZ retail frontages, planning applications will be required to:

- a) *Retain an appropriate mix of retail units, taking particular note of the following:*
 - i) *Planning applications involving the loss of an A1 unit will not be supported unless the overall percentage of A1 units remains above 50% following its loss*
 - ii) *Planning applications involving the loss of an A3 unit will not be supported less the overall percentage of A3 units remains above 30% following its loss*
- b) *Retain and enhance the retail use of the frontages, taking particular note of the following:*
 - i) *Conversion from retail to residential on these streets will not be permitted; and*
 - ii) *Applications to convert ground floor residential units to A1 or A3 will be supported**

**With the exception of the purpose built housing such as New Cut Housing Coop and Styles House*

Assessment against national policy and guidance

Paragraph 23 of the NPPF 2012 requires planning policies that make clear which uses will be permitted in town centres, primary shopping areas and primary and secondary retail frontages. The draft NDP policy does not differentiate between the CAZ frontage and the PSA and its proposed threshold for A3 is not supported by evidence. Paragraph 041 (Reference ID: 41-041-20140306) of the PPG requires neighbourhood plan policies to be supported by appropriate evidence. The draft NDP policy has not provided adequate evidence to justify its local approach to affordable retail units nor has it considered the impact on development viability.

Consideration of general conformity with the strategic policies contained in the development plan for the area

Relevant strategic policy(s) in the Lambeth Local Plan 2015 and London Plan 2016 (consolidated with alterations since 2016)	PN1 Waterloo ED6 Town centres ED7 Evening economy and food and drink uses ED9 A2 uses H3 Safeguarding existing housing
Whether the draft NDP policy supports and upholds the general principle that the strategic policy is concerned with.	Lambeth acknowledges that local policy to manage the mix of ground floor uses within a town centre is not strategic and is therefore an appropriate concern for a neighbourhood plan, so long as it is evidence based. Policy PN1 promotes the role of Lower Marsh/ The Cut as a centre for local needs and specialist independent retailing by requiring at least 50 per cent of original ground floor units in the primary shopping area of the Lower Marsh/The Cut CAZ frontage should be in A1 retail use. The draft NDP policy duplicates this but says less by not differentiating between the primary shopping area (PSA) and the CAZ frontage. Local Plan policy PN1(b) does not specify a threshold for A3 uses on Lower Marsh/The Cut. There is concern that the proposed approach in the draft NDP is not supported by any evidence (see below).

	<p>Local Plan policy ED7 would still apply to manage the risk of unacceptable harm to community safety or residential amenity caused by evening and food and drink uses. Local Plan ED9 would also in principle still apply to manage the proportion and concentration of A2 uses (no more than 15% in a centre and no more than 2 and 5 consecutive A2 uses), although it should be noted that since April 2016 there is a new permitted development (PD) right allowing change of use from A1 to A2 without prior approval.</p>
<p>The degree, if any, of conflict between the draft NDP policy and the strategic policy.</p>	<p>Although not a strategic policy, parts (a) (i) of the draft NDP duplicates PN1(b) but says less than the Local Plan policy by not differentiating between the CAZ frontage and the PSA. It may be that PN1 is sufficient to achieve the aims of this policy.</p> <p>Lambeth Local Plan policy H3 does not allow loss of permanent residential. Section (b) of the draft NDP policy is therefore in conflict with the Local Plan strategic policy. There might be local circumstances that could permit a departure from the Local Plan approach, but there would need to be very strong evidence of a problem and the harm that is being caused. This can be dealt with on a case by case basis under current Local Plan policy. A neighbourhood plan policy is not necessary to enable this. No evidence of a problem or harm caused has been provided to justify a different policy approach in the neighbourhood plan.</p>
<p>Whether the draft NDP policy provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining the policy.</p>	<p>Whilst the draft NDP policy provides a distinctive local approach to managing the mix of uses, no evidence has been provided by the draft NDP to justify the 30% threshold for A3 uses (see below). The approach to A1 in the draft NDP policy may have unintended consequences by not differentiating between the PSA and the CAZ retail frontage.</p> <p>The draft NDP policy introduces distinct local approach to the conversion of residential to retail uses which undermines the strategic policy of protecting permanent residential uses.</p>
<p>The rationale for the approach taken in the draft NDP and the evidence to justify the approach.</p>	<p>The rationale for the proposed policy states that the local community would like to strengthen the existing policy to ensure that only a minority of premises are used as services. The community aspiration to preserve the character of the street as a shopping street with daytime as well as evening uses is noted. However, no evidence has been provided by the draft NDP to justify the 30% threshold for A3 uses (see below). It should be noted that GOAD data (May 2018) identifies that the proportion of A3 uses in the</p>

	<p>Lower Marsh/The Cut CAZ frontage PSA is at 17%.</p> <p>Lambeth does not agree with the statement that "In the Lambeth section of the street, conversions to non-A1 uses have not been resisted where current policy states that only 50% of those frontages should remain as A1". What is the evidence for this? There is no rationale or evidence justifying change of use of ground floor residential units. What is the evidence of ground floor residential units within the CAZ frontage (other than the New Cut Housing Coop and Styles House, which are excluded)?</p>
Overall conclusion on general conformity	<p>Lambeth acknowledges that local policy to manage the mix of ground floor uses within a town centre is not strategic and is therefore an appropriate concern for a neighbourhood plan, so long as it is evidence based. The approach in the draft NDP policy to manage A3 uses is not supported by any evidence and Local Plan policy may be sufficient in achieving the aims of P13 (a) (i). The provision for change of use from residential to A1 or A3 is in direct conflict with strategic Local Plan policy.</p>

Consideration against emerging development plan policy

As above.

P14 The neighbourhood will encourage schemes which provide office or workspace in appropriate parts of the area with the following characteristics:

- i. Are able to be subdivided to encourage flexible use and co-working and / or*
- ii. Include a range of unit sizes including offices of under 1000 sq/m and / or*
- iii. Are able to provide accommodation for a range of jobs which are accessible to local people and / or*
- iv. Commit to working with third party employment support providers and local schools to provide work placements, apprenticeships and training support for unemployed people.*

Assessment against national policy and guidance

Paragraph 16 is clear that neighbourhood plans should develop plans that support the strategic needs set out in Local Plans, including policies for housing and economic development. If the draft NDP policy is seeking to restrict the locations that are appropriate for office development, the draft NDP does not support the strategic needs for office and workspace set out in the Local Plan and has potential to constrain Lambeth's ability to meet its development needs.

Consideration of general conformity with the strategic policies contained in the development plan for the area

Relevant strategic policy(s) in the Lambeth Local Plan 2015 and London Plan 2016 (consolidated with alterations since 2016)	<p>PN1 Waterloo</p> <p>ED2 Business, industrial and storage uses outside KIBAs</p> <p>ED3 Large offices (greater than 1,000m²)</p> <p>ED14 Employment and training (and Employment and Skills SPD)</p> <p>London Plan policy 2.10 Central Activities Zone – strategic policies</p>
Whether the draft NDP policy supports and upholds the general principle that the strategic policy is concerned with.	<p>Yes it does at the level of general principle. However, it is not clear what is meant by 'in appropriate parts of the area' and whether this seeks to introduce a distinct local approach for the location of offices in the neighbourhood area which may undermine the strategic policy given the neighbourhood area's location in the Central Activities Zone and Waterloo Opportunity Area (see below).</p>
The degree, if any, of conflict between the draft NDP policy and the strategic policy.	<p>The draft NDP policy is broadly consistent with the Local Plan policies ED2, ED3 and ED14 (and Lambeth's Employment and Skills SPD). However if the policy is seeking to introduce a distinct approach by specifying areas considered to be appropriate parts of the neighbourhood area for office development the draft NDP policy is in conflict with Local Plan policies ED2 and ED3. Local Plan policy ED2 supports B1 uses on all sites, subject to other plan policies and policy ED3 supports offices greater than 1000m² in the Central Activities Zone, Vauxhall and Waterloo London Plan Opportunity Areas and Brixton and Streatham major town centres. London Plan policy 2.10 says that in appropriate parts of the Central Activities Zone, development of office provision should not be strategically constrained.</p>

Whether the draft NDP policy provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining the policy.	It is not clear what is meant by 'appropriate parts of the area'. If the draft NDP policy is seeking to introduce a distinct local approach by setting locations where office development will be supported, this will undermine strategic policies. The final sentence of the policy seeks to apply a distinct local approach but risks undermining strategic policy as explained above.
The rationale for the approach taken in the draft NDP and the evidence to justify the approach.	The rationale for P14 (p51) does not specify what are considered to be appropriate areas for office or workspace in the neighbourhood area.
Overall conclusion on general conformity	If the draft NDP is seeking to introduce a local approach to determining appropriate locations for office development this conflicts with strategic policies. It is recommended that 'in appropriate parts of the area' is removed from the draft NDP policy to be in general conformity with strategic policies.

Consideration against emerging development plan policy

It should be noted that SD5 of the Draft New London Plan states that offices and other CAZ strategic functions are to be given greater weight relative to new residential development in all other areas of the CAZ except the VNEB Opportunity Area, the Elephant and Castle Opportunity Area and wholly residential streets or predominantly residential neighbourhoods. Policy E1 supports increases in the current stock of offices in the CAZ.

P15 The neighbourhood will support proposals which enable physical infrastructure improvements to support the development and servicing of the street market at Lower Marsh, including:

- i. Electricity points*
- ii. Storage*
- iii. Refuse storage*
- iv. Improved lighting*
- v. Improved seating*
- vi. Green infrastructure*

Assessment against national policy and guidance

No concerns.

Consideration of general conformity with the strategic policies contained in the development plan for the area

Relevant strategic policy(s) in the Lambeth Local Plan 2015 and London Plan 2016 (consolidated with alterations since 2016)	PN1 Waterloo ED13 Markets
Whether the draft NDP policy supports and upholds the general principle that the strategic policy is concerned with.	Yes it does.
The degree, if any, of conflict between the draft NDP policy and the strategic policy.	None.
Whether the draft NDP policy provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining the policy.	The policy is specific to the Lower Marsh street market.
The rationale for the approach taken in the draft NDP and the evidence to justify the approach.	Noted.
Overall conclusion on general conformity	No concerns.

Consideration against emerging development plan policy

No concerns.

P16 The Neighbourhood Forum has identified a number of sites or buildings which should be protected for specified community uses or their community significance. Proposals that will result in either the loss of, or in significant harm to, those community assets will not be supported.

Assessment against national policy and guidance

The draft NDP policy has regard to paragraph 70 of the NPPF 2012 which states planning policies should guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day to day needs. However, as set out above the draft NDP policy is likely to cause confusion for the decision-maker when applied alongside Local Plan policy S1 which goes against paragraph 17 of the NPPF 2012 which requires plans to provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency. Paragraph 041 (Reference ID: 41-041-20140306) of the PPG sets out that policies in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications.

Consideration of general conformity with the strategic policies contained in the development plan for the area

Relevant strategic policy(s) in the Lambeth Local Plan 2015 and London Plan 2016 (consolidated with alterations since 2016)	S1 Safeguarding existing community premises ED2 Business, industrial and storage uses outside KIBAs ED3 Large offices (greater than 1000m ²) London Plan policy 3.16 Protection and enhancement of social infrastructure
Whether the draft NDP policy supports and upholds the general principle that the strategic policy is concerned with.	The draft NDP policy supports the general principle that the strategic policy is concerned with i.e. protection of community premises. However, the very restrictive wording will cause difficulties at the level of decision-making when applied alongside Lambeth Local Plan policy S1.
The degree, if any, of conflict between the draft NDP policy and the strategic policy.	Local Plan policy S1 sets out the tests that need to be met to justify exceptions to the overall safeguarding approach. This is appropriate to allow for changes in circumstances relating to community premises, which cannot always be foreseen. Whilst the significance of community premises in Waterloo is noted, and the Council agrees, an argument has not been made to justify why the tests in S1 should not also apply in that part of the borough.
Whether the draft NDP policy provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining the policy.	The wording of the draft NDP policy is very restrictive and will cause difficulties when applied alongside policy S1. It is noted that the wording set out in the rationale on p75 of the draft NDP is less restrictive than the policy wording itself but it is not clear whether this means that the draft NDP would support the re-provision of identified premises: <i>'the neighbourhood forum has identified a number of community facilities which should be protected. Any proposals seeking the redevelopment of</i>

	<p><i>these sites should include full reprovion of the community use within the new development or the neighbourhood plan area</i>'. The draft NDP has identified the Waterloo Action Centre, Living Space and Make Space Studios.</p> <p>It should be noted that Make Space Studios are artist studios and are a B1 use. Any development proposal involving this site would be assessed against ED2 or ED3 depending on its size.</p>
The rationale for the approach taken in the draft NDP and the evidence to justify the approach.	No evidence or justification has been provided as to why the tests in Local Plan policy S1 should not apply to the neighbourhood area or why a different approach should be taken to Waterloo Action Centre, Living Space and Make Space Studios.
Overall conclusion on general conformity	The policy as currently worded is not in full conformity with the strategic policy approach in LLP policy S1.

Consideration against emerging development plan policy

As above.

P17 The Neighbourhood Plan recognises the contribution to the artistic and cultural distinctiveness of the area made by Leake Street and seeks to maintain and develop this improved feature of the neighbourhood. Applications which contribute to and promote the use of adjoining areas for A1, A3, D1 and D2 uses will therefore be supported.

Assessment against national policy and guidance

Paragraph 17 of the NPPF 2012 requires plans to provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency. Paragraph 041 (Reference ID: 41-041-20140306) of the PPG sets out that policies in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. Paragraph 23 of the NPPF requires local planning authorities to define the extent of town centres and primary shopping areas, based on a clear definition of primary and secondary frontages in designated centres and set policies that make clear which uses will be permitted in such locations.

Consideration of general conformity with the strategic policies contained in the development plan for the area

Relevant strategic policy(s) in the Lambeth Local Plan 2015 and London Plan 2016 (consolidated with alterations since 2016)	PN1 Waterloo Site 5 Elizabeth House, York Road SE1 Site 7 Waterloo Station, Waterloo Road SE1 ED6 Town centres ED7 Evening economy and food and drink uses ED11 Visitor attractions, leisure, arts and culture uses S2 New or improved community premises
Whether the draft NDP policy supports and upholds the general principle that the strategic policy is concerned with.	Yes it does at the general principle of supporting these uses in the Central Activities Zone. However, consideration needs to be given to paragraph 6.25 of the Local Plan which states that in the Central Activities Zone proposals for retail, service, leisure, recreation and other appropriate uses should be focussed on the identified CAZ frontages. Such proposals will be acceptable elsewhere in the CAZ without the need for a sequential test, provided any impact on the identified CAZ frontages is carefully considered first. This is particularly important in order to safeguard and promote the role of Lower Marsh/The Cut as a centre for local needs and specialist independent retailing. This is also set out in the Waterloo SPD. Local Plan policy ED7 would still apply to proposals for A3 uses and ED11 and S2 would apply to D1 and D2 uses.
The degree, if any, of conflict between the draft NDP policy and the strategic policy.	As above.
Whether the draft NDP policy provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining the policy.	The draft NDP policy makes reference to 'adjoining areas' but this is not defined. This should be defined so the policy can be effectively applied by the decision-maker. Consideration also needs to be given to the

	impact on the designated frontages, particularly in relation to A1 uses as the Local Plan seeks to maintain Lower Marsh/The Cut for local needs and specialist independent retailing.
The rationale for the approach taken in the draft NDP and the evidence to justify the approach.	Noted.
Overall conclusion on general conformity	The draft NDP policy does not conflict with the strategic policy but consideration needs to be given to the relationship with the designated CAZ frontages at Lower Marsh/The Cut in particular.

Consideration against emerging development plan policy

As above.

Comments on 'Social Infrastructure & culture: other guidance' on p58 of the draft NDP:

Comments on points 1 and 2 are provided elsewhere in this representation in relation to the use of the neighbourhood element of CIL.

Lambeth disagrees with point 5 which states that '*on culture, planning regulation is not always conducive to the delivery of an animated South Bank and temporary installations should be delivered without unnecessary impediment where they are in appropriate places*'. The Southbank is a highly successful, animated world-class cultural destination and Lambeth as LPA has been very supportive in its approach to temporary installations and festivals over a number of years. The volumes of people attracted to events need effective management and the planning application process in an effective mechanism to help achieve this.

P18 Developments which create new public realm of a scale which requires pedestrian way finding should implement the Legible London way finding system in accordance with the Highways Act and relevant Highways Authority guidance.

Assessment against national policy and guidance

No concerns.

Consideration of general conformity with the strategic policies contained in the development plan for the area

Relevant strategic policy(s) in the Lambeth Local Plan 2015 and London Plan 2016 (consolidated with alterations since 2016)	T2 Walking Q6 Urban design: public realm PN1 Waterloo
Whether the draft NDP policy supports and upholds the general principle that the strategic policy is concerned with.	Yes it does.
The degree, if any, of conflict between the draft NDP policy and the strategic policy.	None
Whether the draft NDP policy provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining the policy.	The reference to implementing the Legible London way finding system is a level of detail not currently mentioned in the Lambeth Local Plan. We would recommend amending the wording slightly to say “... implement <u>contribute to an update of</u> the Legible London way finding system...” because sometimes the most effective solution may be a contribution to a wider project to extend and update existing plinths in an holistic way, rather than developers directly erecting new plinths in isolation. This will ensure that way finding does not result in cluttered public realm.
The rationale for the approach taken in the draft NDP and the evidence to justify the approach.	It is recommended that the following statement is removed from the rationale on p62: ‘ <i>Bespoke systems may be used in exceptional cultural circumstances but the primary way finding standard should be Legible London</i> ’. On public highways in Lambeth, the Council implements the Legible London way finding system – bespoke systems are unlikely to be supported as this is likely to result in street clutter.
Overall conclusion on general conformity	No concerns although it is recommended that the policy is reworded to ensure it is effective.

Consideration against emerging development plan policy

As above.

P19 Where developments create an ongoing and significant cost implication for the management and maintenance of the neighbourhood area outside the development's demise, revenue Section 106 funding to mitigate the impacts should be secured from the development.

Assessment against national policy and guidance

Concern that the rationale for the policy has not had regard the statutory and policy tests to justify a revenue contribution through a section 106 agreement. All planning obligations have to meet the statutory tests in the CIL Regulations 2010 and the policy tests set out in paragraph 204 of the NPPF 2012 which require planning obligations to be:

- Necessary to make the development acceptable in planning terms ;
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development

Consideration of general conformity with the strategic policies contained in the development plan for the area

Relevant strategic policy(s) in the Lambeth Local Plan 2015 and London Plan 2016 (consolidated with alterations since 2016)	D4 Planning obligations ED11 Visitor attractions, leisure, arts and culture uses (and charging approach in Annex 10)
Whether the draft NDP policy supports and upholds the general principle that the strategic policy is concerned with.	Yes it does – D4(x) and ED11(a)
The degree, if any, of conflict between the draft NDP policy and the strategic policy.	There is no conflict at the level of policy, but there is a concern with the proposed charging approaches set out in the supporting rationale (see below).
Whether the draft NDP policy provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining the policy.	The neighbourhood plan policy itself does not add any detail or distinct local approach to the existing Local Plan policy, but the supporting rationale seeks to – see comments on this below.
The rationale for the approach taken in the draft NDP and the evidence to justify the approach.	<p>The rationale for this policy (p69) refers to the London Eye Revenue s106 model as an exemplar of local management of services via ongoing funding and states that a similar mechanism would be appropriate for other developments. It states that revenue funding could be generated either via a commuted sum, proportion of turnover or proportion of service charges on operators occupying new developments; or that alternatively developers could provide a revenue generator to the community or council, such as a retail unit or land.</p> <p>This proposed approach does not deal with the relationship between CIL and s106 monies either at the level of the general law or in terms of the Council's Regulation 123 list or relevant policies (for visitor attractions policy ED11(a) and Annex 10)). The London Eye agreement was a long time before CIL and current Local Plan policy. Whether a revenue contribution</p>

	can be justified by way of an s106 agreement depends on what the project is and what is in the Regulation 123 list. The framework for seeking those contributions/levying those charges is set out elsewhere by the Council.
Overall conclusion on general conformity	No issue at the level of policy wording but concerns in relation to the supporting rationale/approach.

Consideration against emerging development plan policy

As above.

P20 The neighbourhood element of CIL generated in the area should where feasible be used to fund the projects set out in section 9 of the neighbourhood plan or other projects in consultation with SoWN.

Assessment against national policy and guidance

In relation to the neighbourhood element of CIL, the PPG sets out that where there is no parish, town or community council, “the CIL charging authority retains the levy but should engage with the communities where development has taken place and agree with them how to best spend the neighbourhood funding. Charging authorities should set out clearly and transparently their approach to engaging with neighbourhoods using their regular engagement tools”. This part of the PPG goes on to say that “the use of neighbourhood funds should therefore match priorities expressed by local communities, including priorities set out formally in neighbourhood plans. Where a neighbourhood plan has been made, the charging authority and communities should consider how the neighbourhood portion can be used to deliver the infrastructure identified in the neighbourhood plan as required to address the demands of development” (Paragraph 073 Reference ID: 25-073-20140612).

Whilst the section of the PPG noted above suggests that the spending of the neighbourhood element of CIL should be in accordance with priorities formally set out in NDPs, other parts of the PPG provide further guidance about the extent to which this issue falls to be addressed in NDPs. Paragraph 045 (Reference ID: 41-045-20140306) advises that “a qualifying body may wish to consider what infrastructure needs to be provided in their neighbourhood area alongside development such as homes, shops or offices. Infrastructure is needed to support development and ensure that a neighbourhood can grow in a sustainable way”. Paragraph 046 (Reference ID: 41-046-201403016) sets out that “a qualifying body should set out in their draft NDP the prioritised infrastructure required to address the demands of development identified in the plan”. Elsewhere, the PPG provides that “wider community aspirations than those relating to development and use of land can be included in the neighbourhood plan, but actions dealing with non-land use matters should be clearly identifiable, for example set out in a companion document or annex” (Paragraph 004 Reference ID: 41-004-20170728).

The engagement mechanism that the Council has previously identified is the preparation of non-statutory Co-operative Local Investment Plans (CLIPs). In January 2014, Lambeth Cabinet agreed that the neighbourhood element of CIL to be spent locally would be increased from the mandatory 15% to 25% and that the Council, with input from local communities, would prepare CLIPs. CLIPs address the requirement for local authorities to set out clearly and transparently their approach to engaging with neighbourhoods on local priorities for the neighbourhood element of CIL. In July 2014, Lambeth Cabinet agreed the decision-making process and boundaries for CLIPs. In January 2017, Lambeth Cabinet agreed criteria for the allocation of the neighbourhood element of CIL (NCIL) to enable the Council to address the impacts of development more widely across the borough and meet outcomes in the Borough Plan, by allowing flexibility in allocation of NCIL across CLIP boundaries. The NP policy does not have regard to the requirement of the PPG to include non-land use matters in a companion document or annex rather than as NDP policy.

Consideration of general conformity with the strategic policies contained in the development plan for the area

Relevant strategic policy(s) in the Lambeth Local Plan 2015 and London Plan 2016 (consolidated with alterations since 2016)	D3 Infrastructure Policy 8.3 Community Infrastructure Levy
Whether the draft NDP policy supports and upholds the general principle that the strategic policy is concerned with.	The approach set out in this draft NDP policy is not consistent with the approach in Local Plan policy D3 (d). The objective of the draft NDP policy is to seek to have local CIL receipts allocated to specific projects following consultation with the neighbourhood forum. The Local Plan policy makes clear that the Council

	will retain funds on behalf of the community to deliver local neighbourhood facilities and improvements through the use of a neighbourhood funding element of CIL; and that the Council will co-produce local neighbourhood infrastructure delivery plans that identify, prioritise and cost projects to be delivered locally via agencies working in co-operation with the council or by the Council itself. The priorities identified in neighbourhood plans can of course inform this process but it is not appropriate for a draft NDP policy to require that NCIL can only be spent on the projects it identifies or in consultation with SoWN.
The degree, if any, of conflict between the draft NDP policy and the strategic policy.	As above.
Whether the draft NDP policy provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining the policy.	The list of projects identified in the draft NDP is helpful and has been used to inform the Community Local Infrastructure Plan that is being developed by the Council. The schedule of projects identified in the draft NDP will not have any special legal status as it is the Council which will make the spending decision on NCIL, having due regard to local priorities. A neighbourhood plan project list is clearly an important matter to take into account when determining what local community priorities are. However the Council needs to consult more widely (in the relevant area) and take into account any other views received as part of the consultation. Ultimately it is the Council's decision what to spend the relevant CIL receipts on. The neighbourhood plan priorities are only one, albeit important, matter that the Council has to take account of.
The rationale for the approach taken in the draft NDP and the evidence to justify the approach.	See comments on draft NDP policy P19 in relation to the rationale on p68 which states <i>'defrayal of the neighbourhood element of CIL should be in accordance should be in accordance with the projects set out in the neighbourhood plan. Prioritisation and updating of the projects list will be led by the community in consultation with Lambeth and Southwark Councils. This arrangement follows the example of the successful London Eye revenue, S106 agreement, which is defrayed annually by local people according to local need'</i> . Consultation on the prioritisation of local projects is undertaken through the Council's CLIP process – the projects identified by SoWN have been considered as part of the on-going CLIP process. Lambeth agrees that priorities for spend of NCIL should be developed with the community. However, this cannot be done exclusively by SoWN for the reasons set out above.

Overall conclusion on general conformity	The draft NDP policy is not in general conformity with the Lambeth Local Plan strategic policy on Infrastructure. See also the concerns about legal compliance of this policy set out pages 5-6 of this representation.
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Consideration against emerging development plan policy

As above.

Further comments on planning gain & mitigation: Other guidance and Chapter 9: Implementation & Delivery.

P74 sets out that *'One of SoWN's prime objectives is to monitor the implementation of the neighbourhood plan, providing input into the priorities for s106 agreement obligations to mitigate the immediate impacts of development and into decision-making on the allocation of the neighbourhood portion of CIL generated from developments in the SoWN area (and other sources of funding obtained)' and that 'SoWN is committed to working with both Councils to develop appropriate arrangements and mechanisms through which the neighbourhood portion of CIL, S106 monies and other funding can be locally defrayed. It is envisaged that a formally incorporated local body will undertake the defrayal of the neighbourhood portion of CIL in partnership with the Councils in line with the policies contained in this neighbourhood plan'.* It goes on to say that *'SoWN's objectives are to ensure there is local input into S106 agreements to mitigate the immediate impact of individual developments in the neighbourhood plan area, including where such agreements can support the projects list which forms part of the plan, in line with the plan's objectives, priorities and projects'.*

All planning obligations are required to meet the statutory tests set out in the CIL Regulations 2010 and the NPPF: <http://planningguidance.communities.gov.uk/blog/guidance/planning-obligations/planning-obligations-guidance/>. Lambeth's approach to consultation on planning applications, including at pre-application stage, is set out in its Statement of Community Involvement 2015. Whilst it is helpful for the neighbourhood forum to set out its overall priorities for mitigation measures in the neighbourhood plan, and the Council strongly encourages early community engagement at pre-application stage, it is not practically possible fully to consult on the detailed content of every section 106 agreement. It is also not appropriate for a formally incorporated local body to undertake the defrayal of the neighbourhood portion of CIL in partnership with the Council in line with the policies contained in the neighbourhood plan as it is the Council which will make the spending decision on NCIL, having due regard to local priorities. A neighbourhood plan project list is clearly an important matter to take into account when determining what local community priorities are but the neighbourhood plan priorities are only one, albeit important, matter that the Council has to take account of. Each NCIL-funded project will be considered on a case by case basis, and the Council (as the accountable body) will be bound by its procurement rules. It is envisioned that the Council will enter in a service level agreement with the most appropriate delivery agent of each project.

Having reviewed the project list Lambeth notes that it largely accords with the Council's key objectives for the Borough, of driving economic growth, reducing inequality and creating good neighbourhoods. Detailed comment on the individual projects is not provided. Lambeth notes that whilst the policies contained in the Neighbourhood Plan will, when adopted, have statutory weight, the project list itself does not. Nonetheless, Lambeth recognises it is informed by local consultation and the Council has drawn upon it in the formulation and consultation on the Bishop's Ward Cooperative Local Investment Plan.

Section 2: Assessment of draft NDP against basic condition b)

Lambeth notes that the Basic Conditions Statement contains an assessment of each draft NDP policy against the economic, social and environmental principles of sustainable development. The assessment gives each policy a colour-coded score for the contribution made by the policy to sustainable development:

- Major negative contribution
- Minor negative contribution
- Negligible contribution
- Minor positive contribution
- Major positive contribution

Lambeth has the following comments on the draft NDP in relation to its contribution to sustainable development:

- Draft NDP policy P1 does not make a positive contribution to the environmental principle of sustainable development which is concerned with protecting and enhancing the natural environment by potentially allowing for the loss of open space that is not publically accessible.
- Draft NDP policy P3 does not make a positive contribution to the environmental principle of sustainable development due to the policy's potential impact on local character, particularly Lambeth's heritage assets.
- Draft NDP policy P5 does not make a positive contribution to the environmental principle of sustainable development by potentially allowing the loss of trees in return for their monetary value.
- Draft NDP policies P7 and P8 do not make a positive contribution to the social principle of sustainable development by potentially introducing restrictions on the supply of affordable housing required to meet the needs of present and future generations.
- Draft NDP policy P14 does not make a positive contribution to the economic principle of sustainable development if it is seeking to restrict the locations appropriate for office development in the neighbourhood area.

Section 3: Assessment of draft NDP against basic conditions d) and e)

Lambeth is of the view that the draft NDP meets basic conditions d) and e).

- Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment (often referred to as the Strategic Environmental Assessment (SEA Directive)).

An SEA screening report has been prepared which concluded that, following consultation with Natural England, Historic England and Environment Agency, that the draft SoWN neighbourhood plan (August 2017) would not have significant environmental effects and therefore does not require a Strategic Environmental Assessment.

- Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora and Directive 2009/147/EC on the conservation of wild birds (often referred to as the Habitats and Wild Birds Directives respectively).

There are no European sites in either Lambeth or Southwark. European sites that are within 10km of Southwark and Lambeth (or at least partially within) are: Wimbledon Common (SAC), Richmond Park (SAC), Lee Valley (SAC) and Epping Forest (SAC) (the main Epping Forest site is more than 15km away from Lambeth). The Habitats Regulations Screening Assessment on the draft NDP has not identified any likely significant effective or impact on the integrity of any European site. The Screening Assessment found that the draft NDP is unlikely to have adverse effects on the European sites and effects on the European sites and will not result in an adverse impact on the integrity of four sites. It concluded that the Appropriate Assessment stage is not required.

- Other European directives, such as the Waste Framework Directive (2008/98/EC), Air Quality Directive (2008/50/EC) or the Water Framework Directive may apply to the particular circumstance of a draft neighbourhood plan or Order.

The draft NDP does not include any policies in relation to the management of waste, nor does the area include a waste management site. The draft NDP includes an air quality policy. However, it is not considered that the draft NDP breaches the Air Quality Directive. The draft NDP does not include any policies in relation to water or water quality.

- d. Prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan

Regulations 32 and 33 of the Neighbourhood Planning (General) Regulations 2012 (as amended) set out two additional basic conditions to those set out in the primary legislation. Regulation 32 applies to neighbourhood plans:

- The making of the neighbourhood plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2012) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c) Regulations 2007) (either alone or in combination with other plans or projects)

As set out above, the HRA Screening Assessment found that the draft NDP is unlikely to have adverse effects on the European sites and effects on the European sites and will not result in an adverse impact on the integrity of four sites. It concluded that the Appropriate Assessment stage is not required.

Appendix 1: Draft SoWN NDP Regulation 14 pre-submission consultation – response from London Borough of Lambeth 17 January 2017

Part 1: Proposed policies – assessment of general conformity with the strategic policies in the Lambeth Local Plan 2015

P1 Proposals which propose any permanent reduction of existing open space will not be approved, unless:

- a) **New open space of equivalent quantity is created within the NP area as a result of development which replaces open space lost as a result of that development, and**
- b) **The proposed open space is of demonstrably improved quality, amenity value and/or public realm than the space which is to be lost.**

Relevant strategic policy(s) in the Lambeth Local Plan 2015	EN1 Open space and biodiversity PN1 Waterloo
Whether the draft NDP policy supports and upholds the general principle that the strategic policy is concerned with.	Yes it does, at the level of general principle (EN1 (a)).
The degree, if any, of conflict between the draft NDP policy and the strategic policy.	There is no direct conflict, but there is a concern about the two policies operating in parallel (see below).
Whether the draft NDP policy provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining the policy.	<p>This policy duplicates LLP EN1 (a) but says less than the existing policy. It is not clear what this policy would add to the existing one. There is no additional level of detail and/or distinct local approach. The two policies working in parallel are likely to cause confusion at the level of decision-making.</p> <p>We note that the draft NDP says it intends its policy P1 to bring the Southwark approach in line with the existing Lambeth approach (which it supports). Therefore perhaps policy P1 should only apply in the Southwark part of the area (subject to LB Southwark's view on the policy)? That would need to be made very clear in the draft NDP document.</p>
The rationale for the approach taken in the draft NDP and the evidence to justify the approach.	Appendix 1 (p76) of the draft NDP states that "The net amount of publicly accessible open space in the area has been reduced through development and though Lambeth and Southwark policy resists its loss, this has not always been effectively enforced via the planning system." This statement is unsubstantiated: no evidence or examples have been provided (LB Lambeth have raised this point before with SoWN). LB Lambeth disagree: Lambeth's policy on protection of existing open space is very strong and is always deployed. If unlawful loss of open space were to occur, this would be very strongly enforced.
Overall conclusion on general conformity	The policy is in general conformity with LLP EN1 but Lambeth is concerned about having two

	policies operating in parallel, with different wording. The draft NDP policy P1 does not add any detail or include a distinct local approach. LLP EN1 alone is sufficient to achieve the draft NDP's objectives on this matter.
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P2 Major developments which contribute to the intensification of the neighbourhood area should contribute to the improvement of existing open spaces or provide additional publicly accessible open space

Relevant strategic policy(s) in the Lambeth Local Plan 2015	EN1 Open space and biodiversity PN1 Waterloo
Whether the draft NDP policy supports and upholds the general principle that the strategic policy is concerned with.	Yes it does, at the level of general principle (EN1 (d)(i)).
The degree, if any, of conflict between the draft NDP policy and the strategic policy.	There is no direct conflict, but there is a concern about the two policies operating in parallel (see below).
Whether the draft neighbourhood plan policy provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining the policy.	This policy duplicates LLP EN1 (d)(i) but says less than the existing policy. It is not clear what this policy would add to the existing one. There is no additional level of detail and/or distinct local approach. The two policies working in parallel are likely to cause confusion at the level of decision-making. The lack of clarity that arises from the inclusion of terms such as "contribute to the intensification of the neighbourhood area" without further definition would add to confusion in decision making.
The rationale for the approach taken in the draft NDP and the evidence to justify the approach.	Same comment as for P1 above.
Overall conclusion on general conformity	The policy is in general conformity with LLP EN1 but Lambeth is concerned about having two policies operating in parallel, with different wording. The draft NDP policy P2 does not add any detail or include a distinct local approach. LLP EN1 alone is sufficient to achieve the draft NDP's objectives on this matter.

P3 All major proposals must meet the following criteria

- a. A significant proportion of the roof area should comprise an intensive, accessible green roof.**
- b. If developers demonstrate that they cannot meet the requirement in P3a, they will be required to pay a commuted sum, used to retrofit a green roof onto an existing building in the neighbourhood area**
- c. Include amenity space designed for the exclusive use of occupants. This should be provided primarily on levels away from the ground floor, for example via green roofs and terraces. Some ground floor private amenity space may be provided for the exclusive use of the building's occupants, but the majority of ground floor open space should be publicly accessible.**
- d. Ensure that the design of publicly accessible open space incorporates public seating and enables ease of pedestrian movement**
- e. Have regard to 'Guidance for developers' document in Appendix 3**
- f. Address and mitigate any temporary major loss of amenity in surrounding public open space during construction phases through financial compensation, ring-fenced for green infrastructure projects to be delivered in the neighbourhood area, and**
- g. Mitigate loss of any trees. Where trees must be replaced as part of redevelopment:**
 - i. replacement trees should be planted according to the advice of a Council or independent arboricultural adviser with reference to the guidelines referred to in policy P3e, or**
 - ii. the CAVAT model should be applied to provide compensation, ring-fenced for implementation of equivalent green infrastructure near to site.**

Relevant strategic policy(s) in the Lambeth Local Plan 2015	EN1 Open space and biodiversity EN4 Sustainable design and construction H5 Housing standards Q6 Urban design: public realm Q9 Landscaping
Whether the draft NDP policy supports and upholds the general principle that the strategic policy is concerned with.	Yes it does, at the level of general principle, but there are concerns about some of the detail within the policy as set out below. Section g. in particular does not support the strategic policy.
The degree, if any, of conflict between the draft NDP policy and the strategic policy.	Criterion a. does not allow for feasibility and appropriateness to the character of the development. Criterion b. goes beyond the requirements of LLP EN4 by requiring developers to demonstrate that they cannot provide a green roof and consequent payment of a commuted sum. The impact of this requirement in b. on overall development viability (cumulatively with other existing policy requirements) has not been tested. Criterion g (ii) allows for compensation for loss of trees, which conflicts with Lambeth Local Plan policy Q10.

<p>Whether the draft neighbourhood plan policy provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining the policy.</p>	<p>Criterion c. duplicates H5 (b) for residential development, but it does not provide the same level of detail.</p> <p>Criterion c. goes further than existing LLP policy by apparently requiring dedicated on-site amenity space for the occupants of major commercial developments. This requirement for dedicated space in major commercial developments may be difficult to operate in practice in every case. Allowance should be included for particular site circumstances and constraints.</p> <p>Criterion d. duplicates the requirements of LLP Q6 but does not add detail or a distinct local approach.</p> <p>Criterion e. provides additional detailed guidance that goes beyond the Lambeth Local Plan. This additional guidance is welcome.</p> <p>Criterion f. goes further than LLP policy by requiring financial compensation for temporary loss of public open space during construction. The terms of this policy need further definition if it is to be implemented effectively: what does “temporary major loss” mean in practice? How will it be measured?</p> <p>Criterion g. (i) duplicates LLP Q10 without adding any additional detail or a distinct local approach, and therefore having two policies operating in parallel is likely to cause confusion at the level of decision making. Section (ii) sets out a proposed method for calculating ‘compensation’, which is not allowed for in Q10, so this part of the policy directly conflicts with the Lambeth policy and would undermine its implementation. ‘Compensation’ is only relevant in certain exceptional circumstances and can be addressed on a case by case through the s106 planning obligation mechanism. The Council does not agree that the suggested CAVAT methodology is an appropriate basis across the board for assessing the value of trees in the context of the planning application process. Its inclusion in policy will lead to the more high quality trees being lost in exchange for their ‘monetary value’. The Council cannot support this section of the policy.</p>
<p>The rationale for the approach taken in the draft NDP and the evidence to justify the approach.</p>	<p>See notes below this box about the justification on page 26 of the draft NDP.</p>
<p>Overall conclusion on general conformity</p>	<p>Aspects of this policy are not in general conformity with and would undermine the implementation of existing Lambeth Local Plan strategic policy, particularly section g. Other aspects may be difficult to implement in practice, particularly sections c (ii) and f. Finally, some sections of the policy duplicate existing LLP policy without adding</p>

	detail, and are likely to cause confusion at the level of decision-making.
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Lambeth is concerned about the statement made on Page 26 under the section titled 'Rationale for sub sections' for Policy P3a, which states:

"... intensive green roof gardens for the use of the building's occupants reduced the pressure on existing open spaces and were therefore preferable to other approaches, such as brown roofs or solar panels. Alongside intensive roofs, other benefits, such as planting to improve the biodiversity of the area should be incorporated into plans for roofs. Plant machinery should where possible be installed inside the building."

Lambeth does not agree. Brown roofs are an integral part of how we aim to provide a greening of our current and future infrastructure with respect to building roofs and upper floor spaces, and should not be discounted or seen as 'second preference' to intensive green roofs based on sedum and grasses alone. People can get as much benefit, both social and visual, as can wildlife, from brown roofs where they can access or see them, whereas some monoculture sedum and grass roofs soon turn out to be uninteresting and people don't have a sense of interest or investment in them. Brown roofs also offer a great way for people to get involved in biodiversity and GI, in that they encourage volunteering to care for and maintain them.

We would suggest re-wording the paragraph as follows:

"Roofs which provide a number of simultaneous benefits, including new open space for the enjoyment of residents, are to be supported. Local people agreed that intensive green roof gardens for the use of the building's occupants can help reduce pressure on existing open spaces. Therefore, these should be included alongside other approaches to the design and use of roofs and upper floors of buildings which include biodiverse/brown roofs and solar panels. Alongside intensive roofs, other benefits, such as planting to improve the biodiversity of the area, should be incorporated into plans for roofs and upper floors. Opportunities for local residents and groups to access, and assist in the planting and maintenance of, green roofs and similar landscaping features should be encouraged and supported, and the design of such features should aim to facilitate this. Plant machinery should where possible be installed inside the building."

P4 The utilisation of vacant development sites with planning consent for temporary community activity such as sports pitches and food growing is encouraged. All major proposals must be accompanied by a construction and phasing plan that identifies opportunities for temporary community uses. Where planning permission is required to bring sites into temporary uses, this will normally be supported.

Relevant strategic policy(s) in the Lambeth Local Plan 2015	EN2(a) Local food growing and production ED11(d) Visitor attractions, leisure, arts and culture uses T8 (d –f) Servicing D4 Planning obligations
Whether the draft NDP policy supports and upholds the general principle that the strategic policy is concerned with.	Yes at the level of general principle.
The degree, if any, of conflict between the draft NDP policy and the strategic policy.	The draft NDP policy goes further than Local Plan policy by requiring all major planning applications to be accompanied by a construction and phasing plan that identifies opportunities for temporary community uses.

Whether the draft neighbourhood plan policy provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining the policy.	As above. It is not considered that this requirement would undermine existing LLP policy. Major developments are already required to provide a construction logistics plan under LLP policy T8, so this requirement could be incorporated into that document. Proposed temporary provision would need to be assessed against the existing requirements for this type of use set out in LLP policy. If considered acceptable, the provision could in principle be secured through planning obligations (subject to meeting the statutory tests for their use). This is an approach that we may well consider for all parts of the borough when we review the Local Plan. We have suggested below a slight re-ordering of the policy wording to make it clearer in its intent.
The rationale for the approach taken in the draft NDP and the evidence to justify the approach.	Noted.
Overall conclusion on general conformity	No concerns.

The utilisation of ~~vacant development sites with planning consent~~ for temporary community activity such as sports pitches and food growing is encouraged on all vacant development sites with planning consent. All major proposals must be accompanied by a construction and phasing plan that identifies opportunities for temporary community uses. Where planning permission is required to bring sites into temporary uses, this will normally be supported.

P5 New affordable housing made available for the following target groups would be supported:

- (i) **Low-to-middle income people working within the neighbourhood area**
- (ii) **Older people from the area wishing to downsize to one bedroom flats**
- (iii) **Elderly people in need of live-in care**

Relevant strategic policy(s) in the Lambeth Local Plan 2015	H2 Delivering affordable housing H4 Housing mix in new developments Also London Plan 2015 policies 3.11 and 3.12 and draft Affordable Housing and Viability Supplementary Planning Guidance (SPG) (November 2016)
Whether the draft NDP policy supports and upholds the general principle that the strategic policy is concerned with.	The draft NDP policy supports affordable housing made available for identified target groups in the neighbourhood area. It does not go as far as requiring that affordable housing specifically meets these needs, but the implication of the policy wording could be that the neighbourhood plan/forum would not support affordable housing that is not made available for those groups. Lambeth's strategic Local Plan policy on affordable housing exists to meet housing need at a borough-wide level and is not consistent with an approach that seeks to ring-fence

	<p>homes for those already in a particular area. The equalities impact of this type of approach would need to be assessed and considered prior to the Council being able to take a decision to make a neighbourhood plan that includes such a policy.</p> <p>If housing policy is framed towards providing one type of product, there is a risk that that is all developers will offer, at the expense of wider housing need.</p> <p>Therefore, whilst the Council understands the intention behind the proposed policy, it cannot agree that it supports and upholds the general principle that LLP strategic policy H2 is concerned with.</p> <p>Lambeth's strategic approach on affordable housing is consistent with the London Plan's London-wide approach. A restrictive neighbourhood-level approach would undermine the Mayor's basic principle of flexibility within the stock of affordable housing London-wide (see draft SPG November 2016).</p>
The degree, if any, of conflict between the draft NDP policy and the strategic policy.	The principle of general needs affordable housing being made available on a restricted basis to particular sections of the existing Waterloo population conflicts with the strategic policy approach to provide affordable housing to meet borough-wide need.
Whether the draft neighbourhood plan policy provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining the policy.	The proposed distinct local approach would undermine the existing strategic policy approach, for the reasons explained above.
The rationale for the approach taken in the draft NDP and the evidence to justify the approach.	<p>The draft NDP does not include or provide quantitative evidence to support its assertions about housing need issues in the neighbourhood area. The evidence appears to be anecdotal based on opinions expressed at consultation.</p> <p>With regard to older people, the Council's evidence is that the north of the borough is already well provided for through specialist older people's housing. See the table on the next page.</p> <p>In relation to proposed provision of affordable housing for local workers, it is not clear how this would work in practice when people change jobs (likely to be frequent, particularly in the hospitality sector in central London). Again, no quantitative evidence is provided to support the anecdotal statements about the perceived problem. Recruitment issues as a result of a shortage of genuinely affordable housing are affecting many sectors in most parts of London. The solution is most likely to be effective at the</p>

	level of London-wide strategic housing policy (increasing overall supply and affordability) rather than neighbourhood-specific restrictions.
Overall conclusion on general conformity	The policy is not in general conformity with Lambeth's strategic policy H2 on affordable housing, for the reasons set out above. It is also not consistent with the Mayor's London-wide strategic policy approach to affordable housing.

	Percentage of Lambeth's over 75's	Percentage of current and planned specialist older people's housing %
North Lambeth	13.9	23.4
Stockwell and Area	13.4	11.2
Brixton & Area	22.3	23.4
Clapham & Area	12.0	10.1
West Norwood	15.2	10.6
Streatham	23.2	21.3

Source: LBL Housing, based on data used in the Strategic Housing For Older People (SHOP) modelling tool
<http://www.housinglin.org.uk/Topics/browse/HousingExtraCare/ExtraCareStrategy/SHOP/SHOPAT/>

P6 Proposals which incorporate features to accommodate one or more of the target groups identified in P5 will be supported. These include, but are not limited to:

- (i) **Co-housing**
- (ii) **Unit sizes which meet minimum size standards as set out in the London Plan**

Relevant strategic policy(s) in the Lambeth Local Plan 2015	H2 Delivering affordable housing H4 Housing mix in new developments H5 Housing standards
Whether the NP policy supports and upholds the general principle that the strategic policy is concerned with.	See the comments on P5 above. In addition, the Lambeth Local Plan has a strategic borough-wide policy approach on housing mix in new developments (H4). Housing standards policy is also strategic and already requires application of London Plan minimum housing standards. It is not entirely clear what is being suggested by this policy, which is likely to cause confusion at the level of decision-making. If it is suggested that minimum standards can never be exceeded, this is not appropriate. Similarly, if it is being suggested that in some cases minimum standards need to be met, that is also problematic because it would undermine the strategic London-wide approach to minimum housing standards set out in the London Plan.
The degree, if any, of conflict between the draft NDP policy and the strategic policy.	As above.
Whether the draft neighbourhood plan policy provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining the policy.	All the points made in relation to P5 also apply to this policy. There is no concern with co-housing in principle, so long as all the requirements of Lambeth's Local Plan strategic housing policies are addressed.
The rationale for the approach taken in the draft NDP and the evidence to justify the approach.	Noted.
Overall conclusion on general conformity	Given that this policy flows from the previous policy P5, the same concerns about general conformity apply. In addition, the intention of the policy is unclear, which is likely to cause difficulties at the level of decision-making. It is not appropriate to suggest that minimum housing standards (set strategically) can never be exceeded and/or sometimes need not be met if that is what is being suggested.

P7 Where affordable housing cannot be delivered on site, consideration should be given to making land in the NP area available to a local designated Community Land Trust to bring forward affordable housing in partnership with a registered housing provider.

Relevant strategic policy(s) in the Lambeth Local Plan 2015	H2 Delivering affordable housing
Whether the draft NDP policy supports and upholds the general principle that the strategic policy is concerned with.	Yes it does at the level of general principle. However, it should be noted that the Lambeth Local Plan allows off-site delivery of affordable housing only in very exceptional circumstances.
The degree, if any, of conflict between the draft NDP policy and the strategic policy.	There is no direct conflict, but SoWN should be mindful of requirements set out in paragraphs 5.12 and 5.13 of the Lambeth Local Plan. In all cases affordable housing will be secured through a legal agreement to ensure it remains at an affordable price for future eligible households in perpetuity (or that the subsidy is recycled for alternative affordable housing provision).
Whether the draft neighbourhood plan policy provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining the policy.	Delivery of affordable housing through a local Community Land Trust in Waterloo does potentially add a distinct local approach to that set out in the Lambeth Local Plan, subject to meeting all the requirements of the strategic policy approach. However, a Community Land Trust may not necessarily be the most effective way of increasing delivery of affordable housing quickly.
The rationale for the approach taken in the draft NDP and the evidence to justify the approach.	Noted.
Overall conclusion on general conformity	No concern so long as all the requirements of Lambeth Local Plan policy H2 are met.

P8 Proposals for hotels will need to demonstrate that:

- (a) They will not result in a net loss of office or residential accommodation, and**
- (b) They will provide benefits to the local community through their design and ongoing operation, including significant local job creation, active frontage and support for community infrastructure.**

Benefits should be secured through planning conditions or Section 106 Agreements.

Relevant strategic policy(s) in the Lambeth Local Plan 2015	<p>ED12 Hotels and other visitor accommodation</p> <p>PN1 Waterloo</p> <p>H3 Safeguarding existing housing</p> <p>ED3 Large offices (greater than 1,000m2)</p> <p>ED2 Business, industrial and storage uses outside KIBAs</p> <p>ED6 Town centres</p> <p>ED14 Employment training (and emerging Lambeth Employment and Skills SPD)</p> <p>Also London Plan 2015 Policy 4.5</p>
Whether the draft NDP policy supports and upholds the general principle that the strategic policy is concerned with.	<p>Strategic policy in both the London Plan and Lambeth Local Plan support in principle new hotels in the Central Activities Zone, which includes Waterloo. The provision in section (a) of draft NDP policy P8 does not fully support and uphold this general principle (see explanation about conflict below).</p> <p>The overall principle of hotels providing benefits to the local community (P8 (b)) is not inconsistent with the principle of strategic policy on hotels in the London Plan and Lambeth Local Plan. The requirement for ground floor active frontage uses in town centres is consistent with the existing requirement in Local Plan policy ED6. The principle of contributions to employment and training is also consistent in principle with Local Plan policy ED14 and the Council's emerging draft Employment and Skills SPD.</p> <p>Any benefits secured through s106 agreements must meet the statutory tests for planning obligations. http://planningguidance.communities.gov.uk/blog/guidance/planning-obligations/planning-obligations-guidance/</p> <p>Any conditions would need to meet the relevant tests in Planning Practice Guidance. http://planningguidance.communities.gov.uk/blog/guidance/use-of-planning-conditions/</p>
The degree, if any, of conflict between the draft NDP policy and the strategic policy.	<p>The Lambeth Local Plan includes a strict restriction on net loss of permanent residential accommodation (policy H3) and would never</p>

	<p>allow a hotel in these circumstances. There is no conflict in this respect.</p> <p>However, in relation to offices, the Lambeth Local Plan does allow for potential change of use from office to hotel in some circumstances if the tests in policy (ED3, ED2) are met.</p> <p>Therefore, the complete restriction on net loss of offices to hotel use set out in NP policy P8 (a) conflicts with Local Plan policy. This provision will cause problems at the level of decision-making if it is not changed or removed.</p>
Whether the draft neighbourhood plan policy provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining the policy.	The policy does not add any detail to existing Local Plan policy, other than in relation to loss of offices where it conflicts.
The rationale for the approach taken in the draft NDP and the evidence to justify the approach.	The evidence and rationale set out in the draft NDP relate to views expressed by local people and perceived issues. There does not appear to be any analysis of the actual benefits or issues arising from hotel development.
Overall conclusion on general conformity	This policy as currently drafted does not fully meet the requirement for general conformity with existing development plan strategic policy.

Comments on 'Development Management: other guidance' on page 41 of the draft NDP:

- Lambeth notes the draft NDP's support of its emerging draft Development Viability SPD
- The Council's approach to pre-application engagement is set out in its Statement of Community Involvement 2015. The Council encourages consultation with local groups for every pre-application proposal, but the Council cannot require this where there is no pre-application process. Pre-application engagement with the community should be carried out by the developer, who can then feed responses in to any pre-application discussions with the Local Planning Authority. Whilst Lambeth does not support the proposal for a local 'development review panel', we would be happy to have a discussion with SoWN about promoting best practice in pre-application engagement by developers and how this can be factored into the PPA process.
- The suggestion that "post consent, the panel should be notified of and invited to comment on the discharge of planning conditions on major development" is not in line with statutory consultation requirements for planning applications.
- The proposed "impact review clause" would not be consistent with the statutory tests for use of planning obligations in the Community Infrastructure Levy Regulations 2010 (also set out as policy tests in the National Planning Policy Framework); or with national guidance. See: <http://planningguidance.communities.gov.uk/blog/guidance/planning-obligations/planning-obligations-guidance/>

P9 The NP supports development that provides retail units with the following characteristics:

- (i) **Interiors fitted out to RIBA category B standards and made available for temporary or pop-up use**
- (ii) **A range of unit sizes including units with shop floors under 20 sq/m.**

Relevant strategic policy(s) in the Lambeth Local Plan 2015	PN1 Waterloo ED6 Town centres
Whether the draft NDP policy supports and upholds the general principle that the strategic policy is concerned with.	Yes it does
The degree, if any, of conflict between the draft NDP policy and the strategic policy.	There is no direct conflict, but the policy should make clear that the support it provides is subject to the principle of the proposed retail use being appropriate in that location in accordance with Local Plan policy.
Whether the draft neighbourhood plan policy provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining the policy.	It adds detail without undermining Local Plan policy.
The rationale for the approach taken in the draft NDP and the evidence to justify the approach.	Noted.
Overall conclusion on general conformity	In overall conformity, subject to the point above.

P10 Policies relating to the Lower Marsh and The Cut CAZ frontage:

- (a) **Commercial premises in the Lower Marsh and The Cut CAZ frontage must not represent less than 70% A1 and A3 use classes combined.**
- (b) **Conversion from shops to residential on these streets will not be permitted and the neighbourhood will support applications to convert ground floor residential to A1 or A3 use, with the exception of the New Cut Housing Coop and Styles House.**
- (c) **Intensification above shops will be encouraged, subject to other policies including design, heritage and open space.**

Relevant strategic policy(s) in the Lambeth Local Plan 2015	PN1 Waterloo ED6 Town centres ED7 Evening economy and food and drink uses ED9 A2 uses H3 Safeguarding existing housing
Whether the draft NDP policy supports and upholds the general principle that the strategic policy is concerned with.	The draft NDP policy supports the general principle of protecting the Lower Marsh and The Cut CAZ frontage. However, one aspect of the policy is in conflict with Local Plan strategic policy – see below. Please note that Local Plan policy ED7 would still apply to manage the risk of unacceptable

	<p>harm to community safety or residential amenity caused by evening and food and drink uses.</p> <p>Local Plan ED9 would also in principle still apply to manage the proportion and concentration of A2 uses (no more than 15% in a centre and no more than 2 and 5 consecutive A2 uses), although please note that since April 2016 there is a new permitted development (PD) right allowing change of use from A1 to A2 without prior approval.</p>
<p>The degree, if any, of conflict between the draft NDP policy and the strategic policy.</p>	<p>Local Plan policy to manage the mix of ground floor uses in a specific town centre is not necessarily strategic and this may well be an appropriate area of policy for a neighbourhood plan to consider. However, there are some concerns with the current proposed wording of P10 (a), which in Lambeth's view is likely to have unintended consequences – see below.</p> <p>Lambeth Local Plan policy H3 does not allow loss of permanent residential. Section (b) of the draft NDP policy is therefore in conflict with the Local Plan strategic policy. There might be local circumstances that could permit a departure from the Local Plan approach, but there would need to be very strong evidence of a problem and the harm that is being caused. This can be dealt with on a case by case basis under current Local Plan policy. A neighbourhood plan policy is not necessary to enable this. No evidence of a problem or harm caused has been provided to justify a different policy approach in the neighbourhood plan.</p> <p>Section (c): it is not clear what is meant by "Intensification above shops" – this needs to be defined and explained.</p>
<p>Whether the draft neighbourhood plan policy provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining the policy.</p>	<p>LLP policy PN1 (b) states that at least 50 per cent of original ground floor units in the primary shopping area of the Lower Marsh/The Cut CAZ frontage should be in A1 use. LLP policy ED8</p> <p>The proposed draft NDP policy approach in P10(a) may have unintended consequences because:</p> <ul style="list-style-type: none"> • It does not differentiate between the primary shopping area (PSA) and the CAZ frontage as a whole (see Lambeth Local Plan Policies Map for the demarcation of the PSA); and • it would not preclude all of the A1 units in the CAZ frontage potentially changing use to A3, which would significantly undermine the objective of protecting the character of the street as a shopping parade. Lambeth strongly recommends maintaining a minimum proportion of A1 through policy.

<p>The rationale for the approach taken in the draft NDP and the evidence to justify the approach.</p>	<p>We do not agree with the statement that “In the Lambeth section of the street, conversions to non-A1 uses have not been resisted where current policy states that only 50% of those frontages should remain as A1”. What is the evidence for this?</p> <p>The community aspiration to preserve the character of the street as a shopping street with daytime as well as evening uses is noted.</p> <p>The rationale for the proposed policy states that the local community would like to strengthen the existing policy to ensure that only a minority of premises are used as services such as estate agents. In Lambeth’s view, the proposed policy does not strengthen the existing LLP policy position and could in fact risk achieving the opposite of the stated objective.</p> <p>There is no rationale or evidence justifying change of use of ground floor residential units. What is the evidence of ground floor residential units within the CAZ frontage (other than the New Cut Housing Coop and Styles House, which are excluded)?</p>
<p>Overall conclusion on general conformity</p>	<p>Lambeth acknowledges that local policy to manage the mix of ground floor uses within a town centre is not necessarily strategic and is therefore an appropriate concern for a neighbourhood plan, so long as it is evidence based. However, the approach proposed here may not be effective in achieving its stated objective, and may have unintended consequences. It needs further thought.</p> <p>The provision for change of use from residential to A1 or A3 is in direct conflict with strategic Local Plan policy.</p>

P11 The neighbourhood will encourage schemes which provide office or workspace with the following characteristics:

- i. **Are able to be subdivided to encourage flexible use and co-working and / or**
- ii. **Include a range of unit sizes including offices of under 1000 sq/m and / or**
- iii. **Are able to provide accommodation for a range of jobs which are accessible to local people and / or**
- iv. **Commit to working with third party employment support providers and local schools to provide work placements, apprenticeships and training support for unemployed people.**

The loss of office space larger than 1000 sq/m will not be supported.

Relevant strategic policy(s) in the Lambeth Local Plan 2015	ED2 Business, industrial and storage uses outside KIBAs ED3 Large offices (greater than 1,000m2) ED14 Employment and training
Whether the draft NDP policy supports and upholds the general principle that the strategic policy is concerned with.	Yes it does at the level of general principle. However, there is an area of conflict explained below.
The degree, if any, of conflict between the draft NDP policy and the strategic policy.	Lambeth has no concern with the first part of the policy, which is broadly consistent with existing Local Plan policies ED2 and ED14 (and Lambeth's emerging Employment and Skills SPD). However, the final sentence stating that "the loss of office space larger than 1000 sqm will not be supported" does conflict with Local Plan policy ED3. In Lambeth's view, the draft NDP policy approach is too restrictive and does not allow for changing circumstances; it could result in blight and long-term vacancy. LLP policy ED3 provides strong protection for larger offices but also sets out a series of tests for proposals involving their loss based on evidence of demand and supply. In Lambeth's view these tests are necessary and reasonable to manage the strategic supply of office space across the borough, including in Waterloo. This is consistent with the approach set out in London Plan policy 4.2.
Whether the draft neighbourhood plan policy provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining the policy.	The final sentence of the policy seeks to apply a distinct local approach but risks undermining strategic policy as explained above.
The rationale for the approach taken in the draft NDP and the evidence to justify the approach.	The rationale for P11 on page 48 has not been supported by evidence. Indeed, the reference to the blanket resistance to the loss of larger offices runs counter to the particular emphasis on offices for young and small businesses (p.48).

Overall conclusion on general conformity	The final sentence of the policy is not in general conformity with strategic policy as explained above.
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P12 The neighbourhood will support proposals which enable physical infrastructure improvements to support the development and servicing of the street market at Lower Marsh, including:

- i. Electricity points**
- ii. Storage**
- iii. Refuse storage**
- iv. Improved lighting**
- v. Improved seating**

Relevant strategic policy(s) in the Lambeth Local Plan 2015	PN1 Waterloo ED13 Markets
Whether the draft NDP policy supports and upholds the general principle that the strategic policy is concerned with.	Yes it does
The degree, if any, of conflict between the draft NDP policy and the strategic policy.	None
Whether the draft neighbourhood plan policy provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining the policy.	The policy is specific to the Lower Marsh street market.
The rationale for the approach taken in the draft NDP and the evidence to justify the approach.	Noted.
Overall conclusion on general conformity	No concerns.

P13 The Neighbourhood Forum has identified a number of sites or buildings which should be protected for specified community uses or their community significance. Proposals that will result in either the loss of, or in significant harm to, those community assets will not be supported.

Relevant strategic policy(s) in the Lambeth Local Plan 2015	S1 Safeguarding existing community premises
Whether the draft NDP policy supports and upholds the general principle that the strategic policy is concerned with.	The draft NDP policy supports the general principle that the strategic policy is concerned with i.e. protection of community premises. However, its very restrictive wording will cause difficulties at the level of decision-making when applied alongside Lambeth Local Plan policy S1.
The degree, if any, of conflict between the draft NDP policy and the strategic policy.	Local Plan policy S1 sets out the tests that need to be met to justify exceptions to the overall safeguarding approach. This is appropriate to allow for changes in circumstances relating to community premises, which cannot always be foreseen. Whilst the significance of community premises in Waterloo is noted, and the Council agrees, an argument has not been made to justify why the tests in S1 should not also apply in that part of the borough. We would suggest that the draft NDP accept the borough-wide Local Plan policy but note that there is unlikely to be a case for the loss of community premises in Waterloo given the recent loss of some community premises (e.g. the scout hall in Cornwall Road) and the rising population that will be accommodated in the new developments on the South Bank and potentially Elizabeth House.
Whether the draft neighbourhood plan policy provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining the policy.	See above. SoWN's aspiration to apply for ACV status for a number of premises is noted: the Council has an established process for this, which sits outside the statutory planning process. As already noted in the Lambeth Local Plan (para 7.10), where premises have been registered with the Council as ACVs, this is likely to be a material consideration in the determination of applications for the site for change of use to non-community related use.
The rationale for the approach taken in the draft NDP and the evidence to justify the approach.	Noted.
Overall conclusion on general conformity	The policy as currently worded is not in full conformity with the strategic policy approach in LLP policy S1.

P14 The Neighbourhood Plan recognises the contribution to the artistic and cultural distinctiveness of the area made by Leake Street and the Waterloo undercrofts and seeks to maintain and develop this important feature of the neighbourhood. Applications which contribute to and promote the use of these areas for D2 uses will therefore be supported.

Relevant strategic policy(s) in the Lambeth Local Plan 2015	PN1 Waterloo Site 5 Elizabeth House, York Road SE1 Site 7 Waterloo Station, Waterloo Road SE1
Whether the draft NDP policy supports and upholds the general principle that the strategic policy is concerned with.	Yes it does.
The degree, if any, of conflict between the draft NP policy and the strategic policy.	There is no conflict, but active frontage uses other than D2 could also be supported e.g. A3/4 and D1? "Waterloo undercrofts" should be more specific to say "Waterloo <u>station</u> undercrofts".
Whether the draft neighbourhood plan policy provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining the policy.	Yes it does.
The rationale for the approach taken in the draft NDP and the evidence to justify the approach.	Noted.
Overall conclusion on general conformity	No concerns, subject to the points above.

Additional comments on 'Social infrastructure and culture: other guidance':

- Points 1 and 2 – the other comments elsewhere in this response in relation to NCIL
- Point 5 – "planning regulation is not always conducive to the delivery of an animated South Bank and temporary installations should be delivered without unnecessary impediment where they are in appropriate places". We disagree. The Southbank is a highly successful, animated world-class cultural destination and Lambeth as LPA has been very supportive in its approach to temporary installations and festivals over a number of years. The volumes of people attracted to events need effective management and the planning application process in an effective mechanism to help achieve this.

P15 The neighbourhood plan has identified a network of pedestrian routes ('greenways') through the neighbourhood area which are situated away from heavy traffic, air pollution and noise (shown on Appendix 10, Page 136). The plan supports developments along these routes which:

- i. create an improved pedestrian friendly streetscape as set out in design guidance**
- ii . contribute to an improvement in air quality and reduction in noise levels**

Relevant strategic policy(s) in the Lambeth Local Plan 2015	T1 Sustainable travel T2 Walking Q6 Urban design: public realm PN1 Waterloo
Whether the draft NDP policy supports and upholds the general principle that the strategic policy is concerned with.	Yes it does in relation to walking, but there is no reference to cycling. See more on this point in the conclusion box below.
The degree, if any, of conflict between the draft NDP policy and the strategic policy.	None
Whether the draft neighbourhood plan policy provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining the policy.	The identification of a local network of greenways through the neighbourhood area adds detail and a distinct local approach to the strategic policy position. However, we could not follow the numbering on the diagram (the 'L' numbers) – please could the numbering be cross-referenced into the text.
The rationale for the approach taken in the draft NDP and the evidence to justify the approach.	Noted.
Overall conclusion on general conformity	No concerns in relation to the approach on walking. However, the plan does not mention cycling, which is second after walking in the sustainable travel hierarchy identified in Local Plan policy T1. The draft NDP should acknowledge the need for neighbourhood level interventions to promote cycling as well as walking. The Council is currently developing a Cycle Network Strategy (CNS) which will set out the physical interventions required to deliver Lambeth's ambitious target for increasing the level of cycling in the borough. This will identify a range of interventions, from neighbourhood to strategic level, which together with existing infrastructure will comprise a comprehensive network plan for cycling. The intention is that relevant aspects of the CNS should then be referenced by local and borough wide spatial strategies and plans in order to promote delivery of this network. This includes neighbourhood plans.

P16 Developments which create new public realm of a scale which requires pedestrian way finding should implement the Legible London way finding system in accordance with the Highways Act and relevant Highways Authority guidance.

Relevant strategic policy(s) in the Lambeth Local Plan 2015	T2 Walking Q6 Urban design: public realm PN1 Waterloo
Whether the draft NDP policy supports and upholds the general principle that the strategic policy is concerned with.	Yes it does.
The degree, if any, of conflict between the draft NDP policy and the strategic policy.	None
Whether the draft neighbourhood plan policy provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining the policy.	The reference to implementing the Legible London way finding system is a level of detail not currently mentioned in the Lambeth Local Plan. We would recommend amending the wording slightly to say "... <u>implement contribute to an update of</u> the Legible London way finding system..." because sometimes the most effective solution may be a contribution to a wider project to extend and update existing plinths in an holistic way, rather than developers directly erecting new plinths in isolation.
The rationale for the approach taken in the draft NDP and the evidence to justify the approach.	Noted.
Overall conclusion on general conformity	No concerns.

P17 Where developments create an ongoing and significant cost implication for the management and maintenance of the neighbourhood area outside the development's demise, revenue funding to mitigate the impacts should be secured from the development.

Relevant strategic policy(s) in the Lambeth Local Plan 2015	D4 Planning obligations ED11 Visitor attractions, leisure, arts and culture uses (and charging approach in Annex 10)
Whether the draft NDP policy supports and upholds the general principle that the strategic policy is concerned with.	Yes it does – D4(x) and ED11(a) All planning obligations also have to meet the statutory tests set out in the CIL Regulations 2010 and the NPPF: http://planningguidance.communities.gov.uk/blog/guidance/planning-obligations/planning-obligations-guidance/
The degree, if any, of conflict between the draft NDP policy and the strategic policy.	There is no conflict at the level of policy, but there is a concern with the proposed charging approaches set out in the supporting rationale (see below).
Whether the draft neighbourhood plan policy provides an additional level of detail and/or a distinct	The draft NDP policy itself does not add any detail or distinct local approach to the existing Local Plan policy, but the supporting rationale seeks to – see comments on this below.

local approach to that set out in the strategic policy without undermining the policy.	
The rationale for the approach taken in the draft NDP and the evidence to justify the approach.	<p>The rationale for this policy (p67) refers to the London Eye Revenue s106 model as an exemplar of local management of services via ongoing funding and states that a similar mechanism would be appropriate for other developments. It states that revenue funding could be generated either via a commuted sum, proportion of turnover or proportion of service charges on operators occupying new developments; or that alternatively developers could provide a revenue generator to the community or council, such as a retail unit or land.</p> <p>This proposed approach does not deal with the relationship between CIL and s106 monies either at the level of the general law or in terms of the Council's Regulation 123 list or relevant policies (for visitor attractions policy ED11(a) and Annex 10)). The London Eye agreement was a long time before CIL and current Local Plan policy. Whether a revenue contribution can be justified by way of an s106 agreement depends on what the project is and what is in the Regulation 123 list. The framework for seeking those contributions/levying those charges is set out elsewhere by the Council.</p>
Overall conclusion on general conformity	No issue at the level of policy wording but concerns in relation to the supporting rationale/approach.

Additional comments on 'Planning gain & mitigation: other guidance' p67

- The 'other guidance' states that obligations should "reflect mitigating measures on which the local community have been fully consulted". All planning obligations also have to meet the statutory tests set out in the CIL Regulations 2010 and the NPPF:
<http://planningguidance.communities.gov.uk/blog/guidance/planning-obligations/planning-obligations-guidance/>
- The Council's approach to consultation on planning applications, including at pre-application stage, is set out in its Statement of Community Involvement 2015. Whilst it is helpful for the neighbourhood forum to set out its overall priorities for mitigation measures in the neighbourhood plan, and the Council strongly encourages early community engagement at pre-application stage, it is not practically possible fully to consult on the detailed content of every section 106 agreement.

P18 The neighbourhood element of CIL generated in the area must be used to fund the projects set out in section 9 of the neighbourhood plan and any other projects as determined by the neighbourhood forum over the life of the plan.

Relevant strategic policy(s) in the Lambeth Local Plan 2015	D3 Infrastructure
Whether the draft NDP policy supports and upholds the general principle that the strategic policy is concerned with.	<p>The approach set out in this draft NDP policy is not consistent with the approach in Local Plan policy D3 (d). The Local Plan policy makes clear that the Council will retain funds on behalf of the community to deliver local neighbourhood facilities and improvements through the use of a neighbourhood funding element of CIL; and that the Council will co-produce local neighbourhood infrastructure delivery plans that identify, prioritise and cost projects to be delivered locally via agencies working in co-operation with the council or by the Council itself.</p> <p>The priorities identified in neighbourhood plans can of course inform this process, but it is not appropriate for a draft NDP policy to require that NCIL can only spent on the projects it identifies.</p>
The degree, if any, of conflict between the draft NDP policy and the strategic policy.	As above.
Whether the draft neighbourhood plan policy provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining the policy.	<p>The list of projects identified in the draft NDP is helpful and will inform the Community Local Infrastructure Plan to be developed by the Council.</p> <p>A neighbourhood plan does not have to include a schedule of projects. If there is such a schedule it does not have any special legal status. Legally, it is the Council which makes the spending decision on NCIL, having due regard to local priorities. A neighbourhood plan project list is clearly an important matter to take into account when determining what local community priorities are. However the Council needs to consult more widely (in the relevant area) and take into account any other views received as part of the consultation. Ultimately it is the Council's decision what to spend the relevant CIL receipts on. The neighbourhood plan priorities are only one, albeit important, matter that the Council has to take account of.</p>
The rationale for the approach taken in the draft NDP and the evidence to justify the approach.	<p>Lambeth agrees that priorities for spend of NCIL should be developed with the community. However, this cannot be done exclusively by SoWN.</p> <p>See also the comments about the proposed project list and MoU below.</p>

Overall conclusion on general conformity	<p>This policy should be deleted as it is not in conformity with the Lambeth Local Plan strategic policy on Infrastructure.</p> <p>P18 is also not in conformity with national planning guidance on this issue http://planningguidance.communities.gov.uk/blog/guidance/community-infrastructure-levy/spending-the-levy/</p>
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Part 2: response in relation NCIL and proposed Memorandum of Understanding

NCIL – general comments on project list

Having considered the emerging project list we would wish to make the following general observations. Detailed comment on the individual projects is not provided.

Having reviewed the project list we note that it largely accords with the Council's key objectives for the Borough, of driving economic growth, reducing inequality and creating good neighbourhoods.

We note that whilst the policies contained in the Neighbourhood Plan will, when adopted, have statutory weight, the project list itself does not. Nonetheless, we recognise it is informed by local consultation. The Council is therefore happy to draw upon it in the formulation and consultation on the Bishop's Ward Cooperative Local Investment Plan.

The projects put forward by SoWN, based on local consultation, are clearly a matter for SOWN and the local community. We would only counsel that more detail would help to define the appropriateness, impact and deliverability of individual projects.

We also note that the projects proposed are geographically concentrated and would encourage a review to ensure in so far as is possible all parts of Waterloo are served and able to benefit from the investment of NCIL. This is something that the Council's CLIP process will deliver to ensure that the full breadth of the communities' interests are served.

Proposed Memorandum of Understanding

The Council will not be entering into a Memorandum of Understanding with SoWN for the local defrayal of NCIL and delivery NCIL projects. Each NCIL-funded project will be considered on a case by case basis, and the Council (as the accountable body) will be bound by its procurement rules. It is envisioned that the Council will enter in a service level agreement with the most appropriate delivery agent of each project.

Appendix 2: Assessment of the extent to which Lambeth's Regulation 14 comments to SoWN have been addressed.

Regulation 14 Pre-submission draft NDP policy	Summary of Lambeth's comment on general conformity with strategic policies at Regulation 14	Summary of changes made in Regulation 15 submission draft NDP
<p>P1 Proposals which propose any permanent reduction of existing open space will not be approved, unless:</p> <p>c) New open space of equivalent quantity is created within the draft NDP area as a result of development which replaces open space lost as a result of that development, and</p> <p>d) The proposed open space is of demonstrably improved quality, amenity value and/or public realm than the space which is to be lost.</p>	<p>Identified that the draft NDP policy is in general conformity with Local Plan policy EN1 but raised concerns about having two policies operating in parallel, with different wording as the draft NDP policy does not add any detail or include a distinct local approach. Concluded that Local Plan policy EN1 alone is sufficient to achieve the draft NDP's objectives on this matter.</p>	<p>The draft NDP policy has been retained but amended to apply to publically accessible open space. Criteria amended as follows:</p> <p>a) New <u>publically accessible</u> open space of equivalent quantity is created within the draft NDP area as a result of development which replaces open space lost as a result of that development, and</p> <p>b) The <u>quality, amenity value and public access of</u> proposed open space is <u>both as good as the lost open space and also meets the additional needs arising from the development of demonstrably improved quality, amenity value and/or public realm than the space which is to be lost.</u></p> <p>c) <u>In appropriate cases more or better quality open space may be required to compensate for other harm.</u></p>
<p>P2 Major developments which contribute to the intensification of the neighbourhood area should contribute to the improvement of existing open spaces or provide additional publically accessible open space</p>	<p>Identified that the draft NDP policy is in general conformity with Local Plan policy EN1 but expressed concern about having two policies operating in parallel, with different wording as the draft NDP policy P2 does not add any detail or include a distinct local approach. Concluded that Local Plan policy EN1 alone is sufficient to achieve the draft NDP's objectives on this matter. "Contribution to the</p>	<p>No change to the draft NDP policy – Lambeth's comments not addressed.</p>

Regulation 14 Pre-submission draft NDP policy	Summary of Lambeth's comment on general conformity with strategic policies at Regulation 14	Summary of changes made in Regulation 15 submission draft NDP
	intensification of the neighbourhood area" would need to be defined.	
<p>P3 All major proposals must meet the following criteria</p> <ul style="list-style-type: none"> a) A significant proportion of the roof area should comprise an intensive, accessible green roof. b) If developers demonstrate that they cannot meet the requirement in P3a, they will be required to pay a commuted sum, used to retrofit a green roof onto an existing building in the neighbourhood area c) Include amenity space designed for the exclusive use of occupants. This should be provided primarily on levels away from the ground floor, for example via green roofs and terraces. Some ground floor private amenity space may be provided for the exclusive use of the building's occupants, but the majority of ground floor open space should be publicly accessible. d) Ensure that the design of publicly accessible open space incorporates public seating and enables ease of pedestrian movement e) Have regard to 'Guidance for developers' document in Appendix 3 f) Address and mitigate any temporary major loss of amenity in surrounding public open space during construction phases through financial compensation, ring-fenced for green infrastructure 	<p>Identified that aspects of the draft NDP policy are not in general conformity with and would undermine the implementation of existing Lambeth Local Plan strategic policy, particularly section g. Identified that other aspects of the policy may be difficult to implement in practice, particularly sections c (ii) and f. Concluded that some sections of the policy duplicate existing Local Plan policy without adding detail, and are likely to cause confusion at the level of decision-making.</p>	<p>P3 is now a policy for green roofs. The draft NDP policy has not taken account of Lambeth's previous comments but has been amended and expanded as follows:</p> <ul style="list-style-type: none"> a) <u>Roofs should be flat where possible and a significant proportion of the roof area should comprise an extensive intensive, accessible green roof accessible to the occupants of the building.</u> b) If developers demonstrate that they cannot meet the requirement in P3a, <u>they should make efforts to identify suitable flat roofs in the neighbourhood area they will be required to pay a commuted sum, used to retrofit an extensive green roof onto an existing building in the neighbourhood area</u> c) <u>Should developers demonstrate that they cannot meet the requirements of P3a and P3b, a range of other climate change mitigating approaches must be considered, including mosses and lichen, intensive green roofs</u> <p>Criteria c), d) e), f) and g) have been retained as a separate policy (P4) and Lambeth's previous comments have not been addressed.</p>

Regulation 14 Pre-submission draft NDP policy	Summary of Lambeth's comment on general conformity with strategic policies at Regulation 14	Summary of changes made in Regulation 15 submission draft NDP
<p>projects to be delivered in the neighbourhood area, and</p> <p>g) Mitigate loss of any trees. Where trees must be replaced as part of redevelopment:</p> <ul style="list-style-type: none"> i. replacement trees should be planted according to the advice of a Council or independent arboricultural adviser with reference to the guidelines referred to in policy P3e, or ii. the CAVAT model should be applied to provide compensation, ring-fenced for implementation of equivalent green infrastructure near to site. 		
<p>P4 The utilisation of vacant development sites with planning consent for temporary community activity such as sports pitches and food growing is encouraged. All major proposals must be accompanied by a construction and phasing plan that identifies opportunities for temporary community uses. Where planning permission is required to bring sites into temporary uses, this will normally be supported.</p>	<p>Identified no concerns but recommended that the draft NDP policy was reworded to make it clearer in its intent: "The utilisation of vacant development sites with planning consent for temporary community activity such as sports pitches and food growing is encouraged <u>on all vacant development sites with planning consent</u>. All major proposals must be accompanied by a construction and phasing plan that identifies opportunities for temporary community uses. Where planning permission is required to bring sites into temporary uses, this will normally be supported".</p>	<p>Now P6. The draft NDP policy has not been amended to take account of Lambeth's previous comments but now supports temporary commercial and community uses.</p>
<p>P5 New affordable housing made available for the following target groups would be supported:</p> <p>(iv) Low-to-middle income people working within the neighbourhood area</p>	<p>Concluded that the policy is not in general conformity with Lambeth's strategic policy H2 on affordable housing. The comments set out concern that although the draft NDP policy does not go as far as requiring that affordable housing specifically meets these needs, the implication of the policy wording could be that</p>	<p>Now P7. The draft NDP policy has not been amended to take account of Lambeth's previous comments. Criteria (ii) has been removed from the policy.</p>

Regulation 14 Pre-submission draft NDP policy	Summary of Lambeth's comment on general conformity with strategic policies at Regulation 14	Summary of changes made in Regulation 15 submission draft NDP
<p>(v) Older people from the area wishing to downsize to one bedroom flats</p> <p>(vi) Elderly people in need of live-in care</p>	<p>the neighbourhood plan/forum would not support affordable housing that is not made available for those groups. Lambeth's strategic Local Plan policy on affordable housing exists to meet housing need at a borough-wide level and is not consistent with an approach that seeks to ring-fence homes for those already in a particular area.</p>	
<p>P6 Proposals which incorporate features to accommodate one or more of the target groups identified in P5 will be supported. These include, but are not limited to:</p> <p>(iii) Co-housing</p> <p>(iv) Unit sizes which meet minimum size standards as set out in the London Plan</p>	<p>Given that this policy flows from the previous policy P5, the same concerns about general conformity were raised. In addition, concerns were raised that the intention of the policy is unclear, which is likely to cause difficulties at the level of decision-making. Concluded that it is not appropriate to suggest that minimum housing standards (set strategically) can never be exceeded and/or sometimes need not be met if that is what is being suggested.</p>	<p>Now P8. The draft NDP policy has not been amended to take account of Lambeth's previous comments. Criterion (ii) has been amended as follows: "Unit sizes <u>that maximise space and affordability by closely aligning with which meet the minimum size standards The London Plan</u>".</p>
<p>P7 Where affordable housing cannot be delivered on site, consideration should be given to making land in the draft NDP area available to a local designated Community Land Trust to bring forward affordable housing in partnership with a registered housing provider.</p>	<p>Identified no concern so long as all the requirements of Lambeth Local Plan policy H2 are met.</p>	<p>Now P9. No change.</p>
<p>P8 Proposals for hotels will need to demonstrate that:</p> <p>(c) They will not result in a net loss of office or residential accommodation, and</p> <p>(d) They will provide benefits to the local community through their design and ongoing operation,</p>	<p>Identified that strategic policies in both the London Plan and Lambeth Local Plan support in principle new hotels in the Central Activities Zone, which includes Waterloo. Comments raised concern that section (a) of the draft NDP policy did not fully support and uphold</p>	<p>Now P10. Criterion (a) of the policy has been removed from the draft NDP policy in response to Lambeth's previous comments. The draft NDP policy has been amended and expanded as follows:</p> <p>Proposals for hotels will need to demonstrate that <u>Any hotel proposal must mitigate the development's</u></p>

Regulation 14 Pre-submission draft NDP policy	Summary of Lambeth's comment on general conformity with strategic policies at Regulation 14	Summary of changes made in Regulation 15 submission draft NDP
<p>including significant local job creation, active frontage and support for community infrastructure.</p> <p>Benefits should be secured through planning conditions or Section 106 Agreements.</p>	<p>this general principle and conflicted with strategic policies.</p>	<p><u>impact on the existing dynamics of the residential, business and social communities, including :</u></p> <p>(a) <u>They will not result in a net loss of office or residential accommodation, and Provide as much retail frontage as possible to a high street, where the units made available only have high street access.</u></p> <p>(b) <u>They will provide benefits to the local community through their design and ongoing operation, including significant local job creation, active frontage and support for community infrastructure. Provide space that is beneficial and available to the wider community such as 'incubator space', screening room, community meeting and function rooms, fitness suites and swimming pools.</u></p> <p>(c) <u>Where possible any 'in-house' food and beverage off should be limited (minibars, bars, restaurants and cafes closed to the public) so that hotel guests are encouraged to use local traders.</u></p> <p>(d) <u>Development should continue to engage with local recruitment mechanisms to ensure local candidates are employed wherever possible.</u></p> <p>Benefits should be secured through planning conditions or Section 106 Agreements.</p>
<p>P9 The draft NDP supports development that provides retail units with the following characteristics:</p>	<p>Concluded that the draft NDP policy was in general conformity but policy should make clear that the support it provides is subject to</p>	<p>Now P12. Policy amended as follows "<u>Within appropriate locations for retail use...</u>"</p>

Regulation 14 Pre-submission draft NDP policy	Summary of Lambeth's comment on general conformity with strategic policies at Regulation 14	Summary of changes made in Regulation 15 submission draft NDP
<p>(i) Interiors fitted out to RIBA category B standards and made available for temporary or pop-up use</p> <p>(ii) A range of unit sizes including units with shop floors under 20 sq/m.</p>	<p>the principle of the proposed retail use being appropriate in that location in accordance with Local Plan policy.</p>	
<p>P10 Policies relating to the Lower Marsh and The Cut CAZ frontage:</p> <p>(d) Commercial premises in the Lower Marsh and The Cut CAZ frontage must not represent less than 70% A1 and A3 use classes combined.</p> <p>(e) Conversion from shops to residential on these streets will not be permitted and the neighbourhood will support applications to convert ground floor residential to A1 or A3 use, with the exception of the New Cut Housing Coop and Styles House.</p> <p>(f) Intensification above shops will be encouraged, subject to other policies including design, heritage and open space.</p>	<p>Comments acknowledged that local policy to manage the mix of ground floor uses within a town centre is not necessarily strategic and is therefore an appropriate concern for a neighbourhood plan, so long as it is evidence based. However, the comments identified that the proposed approach may have unintended consequences. The provision for change of use from residential to A1 or A3 is in direct conflict with strategic Local Plan policy H3.</p>	<p>Now P13. The policy has been amended to set out different thresholds for A1 uses and A3 uses. However, support for change of use from residential to retail has not been removed.</p>
<p>P11 The neighbourhood will encourage schemes which provide office or workspace with the following characteristics:</p> <p>v. Are able to be subdivided to encourage flexible use and co-working and / or</p>	<p>Identified that the majority of the policy is broadly consistent with the strategic policies but that the final sentence conflicts with policy ED3 and the draft NDP policy approach to the loss of office space is too restrictive.</p>	<p>Now P14. The policy has been amended to remove the sentence "the loss of office space larger than 1000sqm will not be supported".</p>

Regulation 14 Pre-submission draft NDP policy	Summary of Lambeth's comment on general conformity with strategic policies at Regulation 14	Summary of changes made in Regulation 15 submission draft NDP
<p>vi. Include a range of unit sizes including offices of under 1000 sq/m and / or</p> <p>vii. Are able to provide accommodation for a range of jobs which are accessible to local people and / or</p> <p>viii. Commit to working with third party employment support providers and local schools to provide work placements, apprenticeships and training support for unemployed people.</p> <p>The loss of office space larger than 1000 sq/m will not be supported.</p>		
<p>P12 The neighbourhood will support proposals which enable physical infrastructure improvements to support the development and servicing of the street market at Lower Marsh, including:</p> <p>i. Electricity points</p> <p>ii. Storage</p> <p>iii. Refuse storage</p> <p>iv. Improved lighting</p> <p>ix. Improved seating</p>	<p>No concerns.</p>	<p>Now P15. No change.</p>

Regulation 14 Pre-submission draft NDP policy	Summary of Lambeth's comment on general conformity with strategic policies at Regulation 14	Summary of changes made in Regulation 15 submission draft NDP
P13 The Neighbourhood Forum has identified a number of sites or buildings which should be protected for specified community uses or their community significance. Proposals that will result in either the loss of, or in significant harm to, those community assets will not be supported.	Identified that the draft NDP policy was not in general conformity with strategic policy S1 due to its restrictive wording.	Now P16. No change to policy wording to take account of Lambeth's previous comments. Supporting text now references protection for Waterloo Action Centre, Living Space and Make Space Studios.
P14 The Neighbourhood Plan recognises the contribution to the artistic and cultural distinctiveness of the area made by Leake Street and the Waterloo undercrofts and seeks to maintain and develop this important feature of the neighbourhood. Applications which contribute to and promote the use of these areas for D2 uses will therefore be supported.	Identified no conflict but recommended that active frontage uses such as A3/A4 and D1 could also be supported.	Now P17. Policy has been amended to include A1, A3 and D1 uses: "The Neighbourhood Plan recognises the contribution to the artistic and cultural distinctiveness of the area made by Leake Street and the Waterloo undercrofts and seeks to maintain and develop this important feature of the neighbourhood. Applications which contribute to and promote the use of <u>adjoining areas</u> these areas for <u>A1, A3, D1 and D2</u> uses will therefore be supported".
P15 The neighbourhood plan has identified a network of pedestrian routes ('greenways') through the neighbourhood area which are situated away from heavy traffic, air pollution and noise (shown on Appendix 10, Page 136). The plan supports developments along these routes which: i. create an improved pedestrian friendly streetscape as set out in design guidance ii. contribute to an improvement in air quality and reduction in noise levels	No concerns in relation to the approach on walking but identified that the plan does not mention cycling which is second after walking in the sustainable travel hierarchy identified in Local Plan policy T1. Recommended that the draft NDP acknowledges the need for neighbourhood level interventions to promote cycling as well as walking.	The greenways policy has been incorporated into P5 Air Quality but still does not reference cycling.

Regulation 14 Pre-submission draft NDP policy	Summary of Lambeth's comment on general conformity with strategic policies at Regulation 14	Summary of changes made in Regulation 15 submission draft NDP
<p>P16 Developments which create new public realm of a scale which requires pedestrian way finding should implement the Legible London way finding system in accordance with the Highways Act and relevant Highways Authority guidance.</p>	<p>No concerns with the policy were raised but recommended amending the wording slightly to say "... contribute to an update of the Legible London way finding system..." because sometimes the most effective solution may be a contribution to a wider project to extend and update existing plinths in an holistic way, rather than developers directly erecting new plinths in isolation.</p>	<p>Now P18. Policy has been amended to require developers to implement the Legible London way finding or to replace defunct Legible London signage.</p>
<p>P17 Where developments create an ongoing and significant cost implication for the management and maintenance of the neighbourhood area outside the development's demise, revenue funding to mitigate the impacts should be secured from the development.</p>	<p>Identified no issue at the level of policy wording but concerns in relation to the supporting rationale/approach. The rationale for this policy (p67) refers to the London Eye Revenue s106 model as an exemplar of local management of services via ongoing funding and states that a similar mechanism would be appropriate for other developments. It states that revenue funding could be generated either via a commuted sum, proportion of turnover or proportion of service charges on operators occupying new developments; or that alternatively developers could provide a revenue generator to the community or council, such as a retail unit or land. Identified that the proposed approach does not deal with the relationship between CIL and s106 monies either at the level of the general law or in terms of the Council's Regulation 123 list or relevant policies (for visitor attractions policy ED11(a) and Annex 10)). The London Eye agreement was a long time before CIL and current Local Plan policy. Whether a revenue contribution can be justified by way of an s106 agreement</p>	<p>Now P19. Rationale for the policy has not been amended to take account of Lambeth's previous comments. The policy wording has been amended as follows: "Where developments create an ongoing and significant cost implication for the management and maintenance of the neighbourhood area outside the development's demise, revenue <u>Section 106</u> funding to mitigate the impacts should be secured from the development".</p>

Regulation 14 Pre-submission draft NDP policy	Summary of Lambeth's comment on general conformity with strategic policies at Regulation 14	Summary of changes made in Regulation 15 submission draft NDP
	depends on what the project is and what is in the Regulation 123 list. The framework for seeking those contributions/levying those charges is set out elsewhere by the Council.	
P18 The neighbourhood element of CIL generated in the area must be used to fund the projects set out in section 9 of the neighbourhood plan and any other projects as determined by the neighbourhood forum over the life of the plan.	Recommended that the policy should be deleted as it is not in conformity with the Lambeth Local Plan strategic policy on Infrastructure. Set out that Local Plan policy makes clear that the Council will retain funds on behalf of the community to deliver local neighbourhood facilities and improvements through the use of a neighbourhood funding element of CIL; and that the Council will co-produce local neighbourhood infrastructure delivery plans that identify, prioritise and cost projects to be delivered locally via agencies working in co-operation with the council or by the Council itself.	Now P20. The policy has not been removed and has been amended as follows: "The neighbourhood element of CIL generated in the area must <u>should</u> <u>where feasible</u> be used to fund the projects set out in section 9 of the neighbourhood plan and any or other projects in consultation with SoWN as determined by the neighbourhood forum over the life of the plan ".

LB Southwark consultation response to the examination version of the South Bank and Waterloo Neighbourhood Plan 2017-2032

February 2019

General Comment

The council welcomes the opportunity to formally comment on the examination version of the South Bank and Waterloo Neighbourhood Plan. We recognise the extensive work that has been undertaken to reach this stage in the plan preparation process. However, following our previous consultation to the pre-submission draft we note that some of our comments and concerns have not been addressed. We seek to constructively work with the Neighbourhood Forum and LB Lambeth in the near future to ensure the most appropriate and deliverable plan which reflects the local communities' priorities and ideas is put to an independent planning inspector and can be taken to a successful referendum. A few general comments which apply to the majority of the plan are provided in the context of this.

Firstly, is the concern regarding the apparent lack of a quantitative, detailed or locally specific evidence base for the majority of the policies. It is acknowledged that the evidence base requirements for neighbourhood plans are less stringent than that for Local Plans and Area Action Plans. However it should be reiterated that where proposed neighbourhood plan (NP) policy is either not in general conformity with an adopted Local Plan policy, or a NP policies seeks to go above and beyond an adopted Local Plan policy, the NP policy should be supported by a proportionate evidence base.

Secondly, while it is acknowledged that the Forum has ample support from the local business community and indeed has may established business leaders and members as part of the Forum, that this is a joint resident- and business-led Neighbourhood Plan is not especially obvious in the plan. In the final version of the plan, further consideration should be given as to how and when businesses can be referenced better and more prominently to ensure inclusivity and illustrate the truly mixed-use nature of the Neighbourhood Area.

Thirdly, and as previously highlighted in our response to the submission draft, reference has not been made that any supplementary guidance points included in the plan will not always be able to be employed in planning decisions (due to the limited powers of planning) and that they may simply reflect the wishes and aspirations of the local community as captured by the Neighbourhood Forum. By ensuring this is clear within the plan, expectations can be better managed.

Following on from this, the next sections provide comments on the NP policies and the surrounding plan content, including the key issues identified, the supplementary guidance points proposed, the stated rationale behind the policies and the content included within the consultation and evidence appendices.

Within Section 3, Paragraphs 4 and 5 we do not agree with the reference to the plan being in conformity with the local plan, which is expanded on below in the relevant sections. We also

object to the reference to applying a common approach between cross borough boundaries. The example given is the definition of open space as Lambeth's definition is used. We object to this, further information is provided in the relevant section below.

Section 8.1: Green Infrastructure, Open Space and Air Quality

NP policy P1

Applications which propose any permanent reduction of existing publically accessible open space will not be supported, unless:

- (a) New publically accessible open space of equivalent quantity is created within the NP area which replaces open space lost as a result of that development.*
- (b) The quality, amenity value and public access of proposed open space both is as good as the lost open space and also meets the additional needs arising from the development.*
- (c) In appropriate cases more or better quality open space may be required to compensate for other harm.*

Policy context (adopted and emerging policy)

NPPF para 96 requires planning policies to be based on robust up to date assessments of the needs and opportunities for open space provision. NPPF para 97 allows open space to be built on where it is surplus to requirements, equivalent or better provision is made or the development is for alternative sports and recreational use, where the need for which is high. NPPF para 184 requires neighbourhood plans not to undermine planned development or strategic Local Plan policies.

Planning Practice Guidance 'Open space, sports and recreation facilities, public rights of way and local green space' sets a broad scope for the definition and functions of open space and advises that it is for local planning authorities to assess the need for open space and opportunities.

London Plan Policy 7.18 restricts the loss of *protected* open spaces unless equivalent or better quality open space is re-provided. It also requires local policy to designate protected space, identify areas of deficiency, plan to meet needs in areas of major change in accordance with green infrastructure strategies, audit open space and assess needs.

Saved Southwark Plan policies 3.25 to 3.27 provide protection for *designated* (or protected, as interchangeable terms in this context) open spaces, while policy 3.11 requires development to maximise the efficient use of land. Protected open spaces have been designated after a thorough review of their quality, accessibility and function through the local plan preparation process.

Core Strategy Strategic Policy (SP) 11 plans for the protection of parks, allotments, sports grounds, green chains, sites of importance for nature conservation (SINCs) and cemeteries, as well as requiring development to improve the quality of and access to open space.

Strategic Policy 1 allows more intense development in growth areas – including in the Borough, Bankside and London Bridge (BBLB) and Elephant and Castle Opportunity Areas. Strategic Policy 5 requires development to provide as much housing as possible whilst accommodating other development needs.

The Southwark Open Space Strategy (2013) supports the implementation of local policy and draws on an evidence base consistent with the NPPF and London Plan.

The draft New London Plan was published on 30 November 2017 and the first and only stage of consultation closed on 2nd March 2018. Minor suggested changes to the plan were published on 13th August 2018 and an Examination in Public (EIP) began on 15th January 2019. The EIP will continue until May 2019 and until the London Plan reaches formal adoption it can only be attributed limited weight.

The Draft London Plan (minor suggested amendments July 2018) Policy GG2 seeks to protect and enhance open spaces, including the Metropolitan Open Land and local spaces, and promote the creation of new green infrastructure and urban greening.

The council concluded consultation on the Proposed Submission version (Regulation 19) on 27 February 2018. The New Southwark Plan Proposed Submission Version: Amended Policies January 2019 is being consulted on until 17 May 2019. It is anticipated that the plan will be adopted in late 2019 following an Examination in Public (EIP). As the NSP is not yet adopted policy, it can only be attributed limited weight. Nevertheless paragraph 48 of the NPPF states that decision makers may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan, the extent to which there are unresolved objections to the policy and the degree of consistency with the Framework. As such, weight is given to a number of our emerging policies and they are being used in decision making.

The Proposed Submission version: Amended Policies - Policy P56 seeks to protect Metropolitan Open Land, Borough Open Land and Other Open Space and will only allow development on such land in exceptional circumstances.

NP policy P1 comments

The proposed policy seeks to apply to non-protected open spaces beyond those identified through the LB Southwark's Borough Open Land (or BOL) and Other Open Space (or OOS) designations (and Metropolitan Open Land, or MOL). Currently there are no such protected open spaces (defined as MOL, BOL or OOS) within the LB Southwark portion of the SoWN Neighbourhood Area.

The rationale for NP policy P1 (pg 26) as well as Appendix 1 (pg 80) of the NP explains that the neighbourhood forum have chosen to use LB Lambeth's definition of "existing open space" (set out in para 9.1 of the Lambeth Local Plan, pg 101) for the purposes of applying the policy within the LB Southwark portion of the Neighbourhood Area. The NP does not seek to designate any further protected open spaces (using the definition within LB Lambeth's Local Plan) within the SoWN portion of the Neighbourhood Area. Nor are any such spaces within the LB Southwark portion of the Neighbourhood Area identified to which NP policy P1 would potentially apply. Therefore the council does not support this policy and considers that the currently adopted policies within the saved Southwark Plan, Core Strategy

and emerging New Southwark Plan (next stage being submission to the Secretary of State) are sufficient to achieve the Neighbourhood Forum's aims.

Furthermore, any further designations would go beyond the council's key supporting evidence base document, the Southwark Open Space Strategy (2013) which comprises an up to date review of all open spaces within the borough and provides recommendations for protection/designation within any planning policy documents. This evidence base review document and open space strategy has informed the decision to propose any new designated open spaces through the New Southwark Plan, and also informed the decision to not propose any new designated open spaces within the LB Southwark portion of the Neighbourhood Area. Therefore any further designations would seemingly contradict the review and appraisal detailed within our local evidence base.

NP policy P2

Major developments which contribute to the intensification of the neighbourhood area should contribute to the improvement of existing open spaces or provide additional publicly accessible open space where feasible.

Policy context (adopted and emerging policy)

As above per policy P1 for NPPF/PPG.

Saved Southwark Plan policies relate to protected designated open space only, i.e. MOL, BOL and OOS.

Core Strategy Strategic Policy 11 requires that *"new development help meet the needs of a growing population by providing space for children's play, gardens and other green areas and helping to improve the quality of and access to open spaces and trees, particularly in areas deficient in open space."*

The Draft London Plan (minor suggested amendments July 2018) Policy GG2 seeks to protect and enhance open spaces, including the Metropolitan Open Land and local spaces, and promote the creation of new green infrastructure and urban greening. Policy G1 states that *development proposals should incorporate appropriate elements of green infrastructure that are integral into London's network of green open spaces.*

The New Southwark Plan Proposed Submission version (December 2017) Policy P11 requires development to provide high quality public realm. Policy P13 requires residential development to *provide green communal amenity space for all residents and additional communal play areas for children for apartments.* Policy P58 also requires large-scale, major development to provide new publically accessible open space and green links.

NP policy P2 comments

Policy P2 is broadly in conformity with the strategic intention of SP11 (Core Strategy) P13 and P58 of the New Southwark Plan, however is more restrictive than local plan policy whereby local plan policy does not restrict new developments which are required to contribute to improvement of existing open spaces or provide additional publically accessible open spaces to those that are a) major and b) contribute to intensification of the neighbourhood. Definition/clarification should be included within the supporting text as to

how developments should contribute should this policy remain as currently worded. It is also noted that 'where feasible' has been added to the policy, this weakens the application of this policy.

NP policy P3

Green Roofs

- a. *Roofs should be flat where possible and a significant proportion of the roof area should comprise an extensive green roof, accessible to the occupants of the building.*
- b. *If developers demonstrate that they cannot meet the requirement in P3a they should make efforts to identify suitable flat roofs on existing buildings in the neighbourhood area to retrofit an extensive green roof.*
- c. *Should developers demonstrate that they cannot meet the requirements of P3a and P3b, a range of other climate change mitigating approaches must be considered, including mosses and lichen, intensive green roofs.*

Policy context (adopted and emerging policy)

Sub-points a) and b) NPPF para 35 requires policy to be effective.

For sub-points a) and b) London Plan Policy 5.11 requires major development to include green roofs *where feasible*.

For sub-points a) and b) Saved Southwark Plan Policy 3.13 requires consideration for the enhancement of biodiversity with green roofs *where appropriate*.

For sub-points a) and b) The Core Strategy makes reference to green roofs in various places (such as the supporting text, fact boxes) to elaborate on high level strategic policy 13 (High Environmental Standards).

For sub-points a) and c) The Draft London Plan (minor suggested amendments July 2018) Policy G1 states that *London's network of green and open spaces and green features in the built environment such as green roofs and street trees, should be protected, planned, designed and managed as integrated features of green infrastructure*. Policy G1 also states *development proposals should incorporate appropriate elements of green infrastructure that are integral into London's network of green open spaces*.

Policy G5 sets out that *major development proposals should contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage*.

For sub-points a) and c) The New Southwark Plan Proposed Submission version (December 2017) Policy P58 requires major development to green infrastructure with arrangements in place for long-term stewardship and maintenance funding. Policy P59 sets out that development must contribute to net gains in biodiversity through, inter alia, *including features such as green and brown roofs, green walls...*

NP policy P3 comments

It is noted that from the pre-submission draft this policy has been amended and now been split into policy P3 and policy P4.

P3a) & b) What constitutes a “significant proportion”? The criterion does not take account of different building typologies and site contexts and may therefore end up difficult to implement / use in planning decisions.

P3a) & b) rationale: Last bullet point of the rationale for P3a reads like a policy requirement and could therefore be inserted with criterion a) to better help achieve the policy aim. For P3b, the rationale mentions a study looking at what existing roofs could be subject to greening. It would be useful to include an overview map of the roofs which the study identified in the plan to indicate what roofs the policy could help green.

P3c) this point is very specific, again the criterion does not take account of different building typologies and site contexts and may therefore end up difficult to implement /use in planning decisions.

NP policy P4

All major developments must meet the following criteria:

- a. *Include amenity space designed for the exclusive use of occupants. This should be provided primarily on levels away from the ground floor, for example via green roofs and terraces. Some ground floor private amenity space may be provided for the exclusive use of the building’s occupants, but the majority of ground floor open space should be publicly accessible.*
- b. *Ensure that the design of publicly accessible open space incorporates public seating and enables ease of pedestrian movement.*
- c. *Have regard to ‘Guidance for developers’ document in Appendix 9.*
- d. *Address and mitigate any temporary major loss of amenity in surrounding public open space during construction phases through financial compensation, ring-fenced for green infrastructure projects to be delivered in the neighbourhood area, and*
- e. *Mitigate loss of any trees. Where trees must be replaced as part of redevelopment:*
 - i. *replacement trees should be planted according to the advice of a Council or independent arboricultural adviser with reference to the guidelines referred to in policy P4C, or*
 - ii. *the CAVAT model should be applied to provide compensation, ring-fenced for implementation of equivalent green infrastructure near to site.*

For sub-point d NPPF para 180 requires development proposals to avoid significant adverse impacts of noise on health and quality of life and to minimise and mitigate other adverse impacts.

For sub-point e) London Plan Policy 7.21 protects trees *of value* and requires borough policies to implement borough tree strategies.

For sub-point d) Policy 7.15 requires development proposals to avoid significant adverse impacts of noise on health and quality of life and minimising and mitigating adverse impacts through separation of uses and noise sources and the application of acoustic design principles.

For sub-point d) Saved Southwark Policy 3.2 requires development not to cause a loss of amenity due to noise.

For sub-point e) Saved Southwark Plan Policy 3.15 protects trees with protection orders or in conservation areas.

For sub-point d) Core Strategy Strategic Policy 13 requires development to meet high environmental standards, reducing air and noise pollution and avoiding amenity and environmental problems.

For sub-point e) Core Strategy Strategic Policy 11 supports the protection of trees and provision for new trees in development.

The Draft London Plan (minor suggested amendments July 2018) table 3.2 sets out the design aspects of residential development for communal open spaces and private amenity space. Outside space should:

Communal open spaces should: - provide sufficient space to meet the requirements of the number of residents - be designed to be easily accessed from all related dwellings - be located to be appreciated from the inside - be designed to support an appropriate balance of informal social activity and play opportunities for various age groups - meet the changing and diverse needs of different occupiers.

Private amenity space for each dwelling should be usable and have a balance of openness and protection, appropriate for its outlook and orientation.

Policy G1 states that *London's network of green and open spaces and green features in the built environment such as green roofs and street trees, should be protected, planned, designed and managed as integrated features of green infrastructure.*

The New Southwark Plan Proposed Submission version (December 2017) Policy P11 requires development to provide adequate outdoor seating for residents and visitors. Policy P13 requires residential development to *provide green communal amenity space for all residents and additional communal play areas for children for apartments*. Policy P58 also requires large-scale, major development to provide new publically accessible open space and green links.

Policy P54 sets out that *development should be permitted when it does not cause an unacceptable loss of amenity to present or future occupiers.*

Policy P60 sets out that development must *retain and protect significant existing trees. Where trees are removed to facilitate development, they should be replaced by new trees which result in no loss of amenity.*

NP policy P4 comments

P4a) Most developments in this area would be mixed use and non-residential uses are not required to provide amenity space for occupiers. Encouraging this to be provided through the neighbourhood plan policy could be supported where strongly justified, however imposing strict requirements (as per current wording) is going beyond local plan policy without sufficient reasons and demonstrating that this would be deliverable. Amenity space standards are already set out in adopted local policy and guidance for residential development. Requiring this for commercial development may not always be feasible and the policy should acknowledge this.

P4a) Rationale: The rationale only refers to residential developments, for which policy requirements and guidance already exist and are used in decision making. There is no reference to non-residential, which this policy requirement may not be appropriate for in all cases (see previous comment).

P4b) Point sets design criteria, which raises no conformity concerns, although does not add anything additional to existing policy.

P4c) Requiring major proposals (through the use of the word “must”) to only “have regard” to the guidance raises questions about the necessity of this policy criterion, as decisions are less likely to be determined on whether this policy requirement has been met or not due to weak wording.

P4d) This criterion raises conformity concerns with the proposed tariff due to it not being sufficiently focused on achieving demonstrable air quality and acoustic design benefits proportionate to the impacts of construction. Evidence may also be needed to show that the proposed tariff would not threaten viability and consideration should be given to the tests for planning obligations.

We echo LB Lambeth’s comments (e.g. define “major temporary loss of amenity” beyond “likely to be limited to dust and noise impacts,” as stated in the rationale). What do the neighbourhood forum refer to when specifying “publically accessible open space”? Is this LB Lambeth’s definition? If so this cannot be applied to the Southwark portion (see comment on P1). The policy wording should amended to be specific to the contexts of each borough, i.e. for the LB Southwark portion of the Neighbourhood Area the policy should read “protected open space” or “designated open space” “(such as MOL, BOL or OOS)”.

P4d) Rationale: With the simple formula already established (as detailed in the rationale section), it would be useful to demonstrate how effective/useful this policy requirement would be by using illustrative examples of sites recently or currently under construction which have had a significant enough impact on publically accessible open space, and establish the amount of funding that the development would have raised to be put toward any offsetting/mitigation projects. Any temporary major loss (however defined) would have to be estimated during the application process (presumably through a construction management plan) in order for this to work as a development management policy, as the “temporary major loss of amenity” will actually occur after planning permission has been granted and the scheme is in build-out phase. Any proposed along the lines of P4d should be re-worded to reflect this.

P4e) Southwark does not currently have an adopted trees policy so a neighbourhood plan policy on trees is welcome subject to the specifics. However the NP policy should consider following the New Southwark Plan Proposed Submission version policy P60 (“Trees”) by requiring that development proposals seek to retain and enhance existing trees on sites as a priority. This option is not included in the NP policy but rather accepts the loss of trees from the off, at which point the policy requirement is triggered. The conformity of this criterion would be improved by ensuring a presumption in favour of replacing trees rather than funding alternative green infrastructure.

NP policy P5

Air Quality

- a. *Given the high levels of air pollution in the area, development plans must show how they contribute to the improvement of air quality in South Bank and Waterloo. Such measures include, but are not limited to:*
 - i. *Replacement of developments incorporating car parking with car free developments and electric vehicle charging points, or such other technology which encourages the take up of sustainable transport*
 - ii. *Incorporation of air filtration systems to improve indoor air quality for occupants*
 - iii. *Implementation of green infrastructure*
 - iv. *The use of low-pollution vehicles during construction*
 - v. *Freight consolidation arrangements*
- b. *The neighbourhood plan has identified a network of pedestrian routes (‘greenways’) through the area which are situated away from heavy traffic, air pollution and noise (shown in Appendix 10). The plan supports developments along these routes which:*
 - i. *Create an improved, pedestrian friendly streetscape, encouraging walking as the primary mode, as set out in local and TfL guidance’*
 - ii. *Contribute to an improvement in air quality and a reduction in noise levels*
- c. *Development of Waterloo Station will not be supported unless measures are introduced to restrict diesel taxis and diesel freight vehicles serving the Station*

Policy context (adopted and emerging policy)

NPPF Para 181 requires the control of air quality in line with air quality management plans.

London Plan Policy 7.14 prioritises on-site measures to control impacts to air quality and where it is necessary for impacts to be managed off site they must demonstrate equivalent air quality benefits.

Saved Southwark Plan Policy 3.6 requires development not to lead to a reduction in air quality.

Core Strategy Strategic Policy 13 requires development to meet high environmental standards, reducing air and noise pollution and avoiding amenity and environmental problems.

The Draft London Plan (minor suggested amendments July 2018) Policy S11 seeks to significantly improve London's air quality through a number of measures in design proposals that should not lead to further deterioration of existing poor air quality.

The New Southwark Plan Proposed Submission version (December 2017) Policy P66 seeks to improve air quality through achieving or exceeding air quality neutral standards and address impacts of poor air quality on building occupiers and public realm users by reducing exposure to and mitigating the effects of poor air quality. This includes the need to retrofit abatement technology for vehicles and flues.

Policy P58 requires the provision of green infrastructure in major developments, it also requires large-scale major developments to provide new publically accessible open space and green links.

NP policy P5 comments

As set out above, the New Southwark Plan sets out measures to improve air quality in the borough. It is not considered necessary for this policy to be repeated in the neighbourhood plan.

“Key issues” and “Consultation and Evidence Base” sections

The evidence provided for this policy is focused on Love Lambeth Air project. Evidence should also be provided for Southwark to justify the application of this policy in this area.

NP policy P6

The utilisation of vacant development sites with planning consent for temporary activity such as sports pitches and food growing is encouraged. All major proposals should be accompanied by a construction and phasing plan that identifies opportunities for temporary uses, both community and commercial. Where planning permission is required to bring sites into temporary use, this will normally be supported.

Policy context (adopted and emerging policy)

NPPF para 117 requires planning policy to encourage the effective use of land and making as much use of previously developed or brownfield land as possible.

Saved Southwark Plan Policy 3.11 requires development to maximise efficient use of land.

The Draft London Plan (minor suggested amendments July 2018) Policy G8 states that development plans should 1) *encourage provision of space for community gardening, including for food growing, within new developments or as meanwhile use on vacant or under-utilised sites, and 2) developments plans should identify potential sites that could be used for commercial food production.*

The New Southwark Plan Proposed Submission version (December 2017) Policy P15 supports development for temporary 'meanwhile uses' where they deliver community

benefits and do not compromise the future redevelopment of the site. Policy SP6, P13 and 'reasons' within the Plan support food growing opportunities with the borough (SP5 reasons and P11 reasons).

NP policy P6 comments

The principle of supporting temporary uses is in broad conformity with the strategic objective of efficient land use. Efficient temporary use of the site could include other land uses beyond 'community and commercial activity' such as cultural or town centre uses. Note the policy wording "is encouraged" means that this requirement is not particularly strong (which is considered appropriate) and so expectations could be managed by making reference to this in the supporting text.

"Key issues" and "Consultation and Evidence Base" sections of policies P1-P6

A "key issue" identified (page 24) is the erosion of open space (page 24). This is also referred to in Appendix 1 "Summary of results of consultation and evidence for P1 – P6" (page 80) which makes further claim that *"the net amount of publically accessible open space in the area has been reduced through development and though Lambeth and Southwark policy resists its loss, this has not always been effectively enforced via the planning system."* LB Southwark takes issue with these statements as they have not been substantiated with any supporting evidence demonstrating that this is the case, such as quantities of open space lost and the sites where this has happened. Are there any figures/evidence/examples to support this? If no evidence can be presented demonstrating this loss we request it be removed from the plan/have the plan acknowledge it does not apply to the LB Southwark portion of the Neighbourhood Area. Please also bear in mind that "open space" which is protected by policy within LB Southwark refers to formally designated/protected open space only, such as MOL, BOL and OOS. Reference to the loss of other types of open space within the LB Southwark portion of the Neighbourhood Area could be made providing the statement is supported by examples/evidence, however we would also request that the plan acknowledges that LB Southwark policy does not try to protect these spaces, therefore it is not correct to frame it in terms of a policy failure.

Regarding the application of Lambeth's definition of open space within the LB Southwark portion of the Neighbourhood Area (penultimate para on pg 80): The purpose of transplanting this definition is not clear as the Neighbourhood Plan does not identify any additional sites it would like recognised as "open space" (as per the LB Lambeth definition) within the LB Southwark portion of the Neighbourhood Area (subject to clarification the location of King's Plaza, which could not be identified from a desk-based search). Should the Neighbourhood Forum decide to designate any of these sites the council would not support these as it would be in conflict with our adopted and emerging policies on Protected Open Space/Designated Open Space (interchangeable terms) (please refer to comment on P1).

Section 8.2: Housing

NP policy P7

New affordable housing made available for the following target groups would be supported:

- i. Low-to-middle income people working within the neighbourhood area*

iii. Elderly people from the area including those in need of live-in care

Policy context (adopted and emerging)

The NPPF requires LPAs to assess housing needs within their local housing market area. Southwark Council undertook a joint strategic housing market assessment (SHMA) with Bromley, Lewisham, Greenwich and Bexley in 2014 (the south east London SHMA). The assessment identified the scale and mix of housing need within the housing market area over the Local Plan period.

NPPF paragraph 11 requires LPAs to prepare their strategic policies to provide for objectively assessed needs for housing and other uses, which in LB Southwark's case is the South East London SHMA.

NPPF paragraph 13 sets out *that neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies.*

The NPPG sets out further guidance on the standard method for assessing housing need and the requirement to consider the need for particular sizes, types and tenures of homes as well as the housing needs of particular groups should be considered separately.

NP policy P7 comments

The policy P7 presupposes that the Neighbourhood Area constitutes a housing market area with unique housing needs to that of the wider housing market area. There is no evidential basis referenced within NP policy P7 upon which to justify variance with the strategic approach taken in Local Plan documents.

Existing and emerging Local Plan policies support proposals for a range of affordable housing and housing providing care services for elderly residents.

The proposed NP policy seeks to prioritise the housing needs of residents and workers within the neighbourhood planning area. Any prioritisation of people living or working within the SoWN planning area impedes Southwark's opportunity to meet its objectively assessed housing need; not least because part of the neighbourhood planning area (the part that is in Lambeth) falls outside the housing market area upon which Southwark's Local Plan policies are based.

The NPPG states that any housing need from a neighbouring authority that is to be accommodated (agreed through a statement of common ground) should be added to the need already calculated for that authority to form a new minimum housing need figure (Paragraph: 014 Reference ID: 2a-014-20180913).

Neighbourhood Forums can identify specific local needs relevant to their neighbourhood but these must be supported by proportionate evidence (Paragraph: 040 Reference ID: 41-040-20160211). The neighbourhood plan should support the strategic development needs set out in Local Plans, including policies on housing and economic development. The level of

housing and economic development is a strategic policy issue (Paragraph: 070 Reference ID: 41-070-20140306). The proposed policy does not appear to be supported by evidence.

The Southwark Plan, Core Strategy require the provision of affordable housing on all development providing 11 or more homes and emerging New Southwark Plan requires it all residential development. The requirement is based on the objectively assessed housing needs of the borough and tempered by a consideration of viability. Local Plan affordable housing requirements include a proportion of social rented homes (which meet the need of lower income households) and intermediate tenure homes (which meet the need of middle-income households).

Social rented housing allocation is outside of the planning process. However, priority is currently awarded to households fulfilling a number of criteria. Any restriction on access to social rented housing for people working within the neighbourhood planning area is unworkable because the Local Housing Authority would not accept such restrictions. Intermediate housing is available to households with an income below a level set by the LPA. As such, restriction of access to intermediate housing to people working within the neighbourhood planning area is incompatible with the Development Plan. In practical terms a housing provider would be unwilling to purchase intermediate housing with additional restrictions.

It is noted that Policy P5 (now Policy P7) Point 2 of the draft version of the Neighbourhood Plan has been removed relating to affordable housing for older people wishing to downsize to one bedroom flats. This removal is accepted as these must be provided in accordance with the strategic area-based housing mix requirements set out in the Local Plan.

LB Southwark supports the provision of housing which provides specialist care to elder residents. Were these to be made available at an 'affordable' level this would not obviate the requirement to provide a policy compliant contribution of conventional affordable housing. The Council may consider flexibility in affordable housing policy when taking into account the terms under which any specialist affordable housing accommodation offer is made. Whilst the proposed policy does not seek to privilege access to affordable elderly care accommodation to residents within the neighbourhood planning area, it should be noted the Local Plan policies are designed to meet strategic affordable housing needs, i.e. housing needs defined at the borough level. As such no favourable consideration could be given to development proposals that seek to privilege access to residents of the Neighbourhood Area.

It is recommended the proposed policy is withdrawn because it seeks to support development which would be supported under the policies in the development plan and is therefore repetitious. The policy also seeks to introduce restrictions on access to certain types of affordable homes which undermines the Local Plan policies designed to meet the borough's strategic housing needs. The Council supports the provision of the affordable housing types identified in policy P7 in order to ensure sustainable development. Restrictions on access to any new housing supply to people residing in or working in the neighbourhood planning area undermines this objective.

The LPA has a duty to consider the equalities implications of proposed planning policies. Prioritisation of affordable housing based on a connection to a Neighbourhood Area would

have an unjustifiable impact on access to affordable housing services for residents in need of affordable housing elsewhere in the borough, especially given that those needs may be more acute. Affordable housing policies are set at the borough level because affordable housing allocation is administered at the borough level by the Local Housing Authority. Furthermore, development opportunities are not equally abundant across the borough and it would be inequitable to prioritise the housing needs of the borough's residents based on whether they live or work in the vicinity of development opportunities.

NP policy P8

Proposals which incorporate features to accommodate one or more of the target groups identified in P7 will be supported. These include, but are not limited to:

i. Co-housing

ii. Unit sizes which meet minimum size standards as set out in the London Plan

Policy context (adopted and emerging policy)

Refer to P7.

The New Southwark Plan Proposed Submission version (December 2017) P24 sets out the criteria for what 'collective living' developments will be assessed against.

NP Policy P8 comment

It is unclear why P7 and P8 are separate policies. The general comments above stand in relation to P7. Additionally, the proposed policy repeats London Plan policy by stating that proposals which meet the minimum space standards set out in the London Plan will be supported. Co-housing is a form of housing which may be supported anywhere within the borough under the existing and emerging Local Plan. It is therefore unnecessary to restate this policy position in relation to the part of the Neighbourhood Area within Southwark.

Comment on Rationale for P8

The statement in the opening sentence of the rationale text for policy P8 does not reflect Southwark's development plan. Therefore the text could potentially be considered misleading. The statement should be removed/amended to accurately reflect and/or acknowledge Southwark's affordable housing policy.

National policy refers to social housing as including both "social rent" (the most commonly referred to definition of which is referenced below) and "affordable rent." The former is set at what are normally termed "target rents." Target rents are traditionally associated with "social housing" (and indeed council housing) as it is normally thought and, through the application of the "national rent regime" formula, typically end up with rent levels at around 30% - 40% of the market rate.

The product known as "affordable rent" was introduced by the Government in 2011. The Government considers "affordable rent" as a form of social housing. Rent levels for "affordable rent" are worked out using a different formula than traditional social/target/council rents and can be up to 80% of the market rate.

The council's approach to "affordable rent" was clarified in a report to Planning Committee which states the council will always seek to prioritise "social rent" housing over "affordable rent" housing. Where "affordable rent" housing is justified on grounds of development viability in any development proposals within the borough then the council will seek to ensure that any "affordable rent" units comprise of 1 and 2 bed units only. This leaves the opportunity for the larger rented, affordable homes to be supplied as family-sized (3 bed+) "social rent" homes at target rents (which best helps meet our objectively assessed housing need). Furthermore, the council will always seek to ensure that any "affordable rent" homes permitted (on the grounds of viability) will have their rent levels set at no more than the Local Housing Allowance (LHA) levels (housing benefit cap levels), again to ensure the product best meets Southwark's housing needs. With a few exceptions, "affordable rent" units permitted in Southwark have generally been permitted on these terms only.

NP policy P9

Where affordable housing cannot be delivered on site, consideration should be given to making land in the neighbourhood area available to a local designated community land trust to bring forward affordable housing in partnership with a registered housing provider.

Policy context (adopted and emerging policy): N/A

NP P9 Policy comment

In principle there is no objection to requiring developers to consider options to deliver off-site affordable housing within the neighbourhood planning area provided this is restricted to the borough in which the main development takes place. It would be unacceptable to deliver off-site affordable housing in LB Lambeth associated with a development in LB Southwark. "Consideration" is non-binding and the Council would not accept a position where off-site affordable housing provision within the neighbourhood planning area resulted in a lower contribution to that which could be delivered elsewhere.

Local Plan policy sets out the tenure mix requirements for affordable housing which requires a proportion of social rented homes and a proportion of intermediate tenure homes. The proposed policy is unclear what type of affordable housing would be brought forward under the model proposed in the policy. It can be assumed that the intention is to bring forward this type of affordable housing as a form of intermediate housing. It is acceptable to require developers to consider options to deliver their intermediate housing requirements under the proposed model.

"Key issues" and "Consultation and Evidence Base" (Appendix 2) comment

The council request that the statement within the key issues which reads "Affordable housing delivered through development is unlikely to be affordable for most." be supported by evidence or if not possible removed from the plan. Can you show a selection of affordable housing units that have been approved and constructed in the neighbourhood area, their tenure and what their likely rent/mortgage costs & rent (for shared ownership) is depending on their tenure? The specific arrangements of each unit/set of units within schemes would be detailed in S106 agreements for any affordable homes, including social rented, "affordable

rent” and intermediate units. These rent levels could then be compared against a range of lower income occupations within the area and assessed to see if the housing costs equate to a third of income (which is generally considered the point at which housing costs can be called affordable, any more than this and it is considered unaffordable – although different sources specify whether to use gross or net income). Please note the earlier comment about distinguishing between traditional social housing let at “target rents” and “affordable rent,” which when permitted within Southwark is required to be one and two bed units and let at no more than the maximum LHA levels to ensure affordability.

The council request that the statement “Too much residential is not permanently lived in” is supported by evidence or, if not possible removed from the plan. This issue has been the focus of much media attention over the past year or so and has been associated with the impact of foreign buyers. However there has been little evidence to support such claims regarding the pervasiveness of “buy-to-leave” or indeed non-primary residences.

To fill this gap in the current evidence base the Mayor commissioned a study to assess the impact of foreign investment and buyers in the London housing market, including the extent and effect of what’s come to be termed “buy-to-leave.” The report ‘Overseas Investors in London’s New Build Housing Market’ was published in June 2017. It is acknowledged that Southwark is ranked 6th out of the top 10 Boroughs to make a proportion of overseas sales. However further in this document it has also been acknowledged that Southwark is not ranked in the top 10 Boroughs with new build properties in locations with the greatest proportions of no usual residents. From this study’s conclusion the proportion of homes left empty or under-used is greater than the properties of higher values, in London bought by overseas investors. Due to the evidence produced by this study which fails to support the initial statement that “Too much residential is not permanently lived in” we request for this to be removed from the plan.

For the second para on pg 83, please see the comment regarding the request that the plan reflect/make reference to LB Southwark’s local approach to “affordable rent,” mentioned in the “key issues” comment above (i.e. the product that can be up to 80% up to the market rate).

For the fourth para on pg 83 what evidence is this referring to?

Penultimate para, pg 83 - “Policy approaches *below*” presumably should read to reflect re-organised plan (i.e. “policy approaches *in section 8.2*”).

Section 8.3: Development Management

NP policy P10

P10 Any hotel proposal must mitigate the development’s impact on the existing dynamics of the residential, business and social communities, including:

- 1. Provide as much retail frontage as possible to a high street, where the units made available only have high street access.*

2. *Provide space that is beneficial and available to the wider community such as 'incubator space', screening room, community meeting and function rooms, fitness suites and swimming pools.*
3. *Where possible any 'in-house' food and beverage offer should be limited (minibars, bars, restaurants and cafes closed to the public) so that hotel guests are encouraged to use local traders.*
4. *Developments should continue to engage with local recruitment mechanisms to ensure local candidates are employed wherever possible.*

Policy context (adopted and emerging policy)

Paragraph 85 of the NPPF is supportive of town centre uses, including hotels and retail, in appropriate locations such as existing town centres. The NPPF does not specify a preference between hotels, office accommodation and other town centre uses, allowing for LPAs and neighbourhood forums to establish a local approach.

London Plan policy 4.5 ("London's visitor infrastructure") requires 40,000 net additional hotel rooms, with a particular focus on delivery within the Central Activities Zone and the Strategic Cultural Area, of which the LB Southwark portion of the Neighbourhood Area falls within the former while parts of the LB Lambeth portion fall within the latter.

The majority of the Southwark portion of the SoWN Neighbourhood Area lies within the Bankside, Borough and London Bridge District level town centre, with a small portion around St George's Circus falling within the Elephant and Castle Major town centre. The Core Strategy identifies both of these locations as appropriate places for new hotel rooms. Strategic Policy 10 makes specific reference to allowing development of hotel rooms in town centres and the strategic cultural areas within the borough although acknowledges a balance between these and other uses within the area must be struck.

The Draft London Plan (minor suggested amendments July 2018) Policy SD4 supports the development of tourism facilities including hotels and conference centres in the CAZ. Policy SD6 supports the tourist infrastructure including hotels in the town centre locations.

The New Southwark Plan Proposed Submission version Amended Policies (January 2019) Policy 36 sets out that development for hotels and other forms of visitor accommodation must not harm the local character or amenity by the design, scale, function, parking and servicing arrangements. It also sets out that for hotel developments, at least 10% of the total floorspace must be provided as ancillary facilities that incorporate a range of daytime uses and offer employment opportunities.

NP Policy P10 comment

It is noted that the previous reference to no net loss of office and residential accommodation has been removed which is supported as this is covered in the local plan.

Requiring hotels to deliver benefits such as local employment and retail frontages and other beneficial uses to the community are agreeable in principle. The New Southwark Plan Proposed Submission version: Amended Policies Policy P36 requires similar benefits – 10% of ancillary facilities in hotel developments to incorporate a range of daytime uses and offer

employment opportunities. The Forum is advised to consider this policy's wording to ensure clarity.

In point 1, reference to 'retail' frontage should be amended to 'active' frontage as 'retail' frontage is too limited, this will also ensure consistency with Amended Policy P36.

The wording of Point 3 is unclear and should either be reworded or removed. The wording 'where possible' also undermines the application of this policy point and therefore it is considered to be unnecessary.

The application of Point 4 should be clarified, its current wording is not clear in terms of how the local recruitment mechanism would function to employ locally. The wording 'where possible' also undermines the application of this policy point and therefore it is considered to be unnecessary.

Comment on Guidance Points

While the council supports any developers engaging with both the council and the local community prior to the submission of a planning application, the council cannot require that this be undertaken. Therefore the guidance point relating to a development review panel will not be possible to implement and the plan should seek to manage expectations by referencing this fact.

The subsequent two guidance points, namely that "the suggestion that 'the post consent, the panel should be notified of and invited to comment on the discharge of 2 years where a review shows that negative impacts have arisen from the development' is not in line with statutory consultation requirements for planning applications. In addition, this wording is not clear.

We support the removal of the "impact review clause" as this would not be consistent with the statutory tests for use of planning obligations in the Community Infrastructure Levy Regulations 2010 (also set out as policy tests in the National Planning Policy Framework); or with national guidance.

"Key issues" and "consultation and evidence" for Section 8.3

Can the statements in the "key issues" be supported with examples to illustrate, for example, where "public realm improvements are not always appropriate to the development context?" or in what ways "the relationship between the impact of development on heritage sites north of the river and the impact on the local setting is not clearly understood"? These statements are not supported with examples in the related "consultation and evidence base" section, therefore question whether they should be in the plan as identified key issues.

It is acknowledged that this is one of the few policies supported by quantitative evidence. Using an existing (or new) evidence base to support a distinctive approach at the neighbourhood area level is supported and encouraged and should similarly be used for the other policies, which currently are suffering from a lack of supporting quantitative evidence , making it hard to agree with the reasons behind the policies.

NP Policy P11

The facades of all new developments should be treated with a permanent anti-graffiti coating.

Policy Context (adopted and emerging policy)

N/A.

NP Policy P11 comments

This policy is very specific and is not considered necessary for a neighbourhood plan. The NPPF Paragraph 55 sets out that *conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects (our underlining)*. As such, the policy is not in conformity with the NPPF as it is not necessary, enforceable or reasonable to expect new developments to be treated with permanent anti-graffiti coating.

Section 8.4: Retail and Work

NP Policy P12

Within appropriate locations, the NP supports development that provides retail units with the following characteristics:

- (i) Interiors fitted out to RIBA category B standards and made available for temporary or pop-up use*
- (ii) A range of unit sizes including units with shop floors under 20 sq/m.*

Policy context (adopted and emerging policy)

NPPF policy and planning practice guidance includes ensuring the vitality of town centres including promoting competitive town centres that provide customer choice and a diverse retail offer and which reflect the individuality of town centres. The retail and work policies are consistent with this part of the NPPF.

The neighbourhood area is located in a Strategic Cultural Area, the Central Activities Zone, Bankside, Borough and London Bridge Opportunity Area, Bankside & Borough district town centre and the Elephant and Castle major town centre. It would be helpful if these were identified on a map to provide context and reflected in the neighbourhood plan to support the retail and work policies. The context and strategic aims of these functions are outlined in the Core Strategy.

The relevant local plan policy is saved Southwark Plan policy 1.7 – “Development within town and local centres.”

The Draft London Plan (minor suggested amendments July 2018) Policy SD6 ‘town centre and high streets’ sets out how town centres should be promoted and enhanced in London.

The New Southwark Plan Proposed Submission version December 2017) Policy 30 ‘town and local centres’ is the relevant policy to town centre development in the borough.

NP Policy P12 comments

The NP policy encourages a range of unit sizes consistent with town centre policy aims. However it is not clear if the RIBA Category B standard should be applied to all retail development or whether this is aimed at smaller unit sizes. Cat. B may not be suitable for all new retail development.

The policy could encourage smaller unit sizes which would benefit from full fit out. The RIBA Category B is not explained within the plan accompanying text (is it consistent with the other bullet points outlined with regard to fit-out in supporting text?) so this should be provided to enable an easy reference guide for developers, or have the list in the supporting text for P12 referenced as containing criteria which meet RIBA Category B standards, if it does.

Supporting a range of unit sizes is consistent with London Plan policy 4.8. The context with regard to CAZ, Opportunity Areas, Strategic Cultural Areas and town centre policies in the London Plan should also be considered. The Neighbourhood Forum should also consider the information found within LB Southwark's Employment Land Review (2016) and our most recent Retail Study (2015), both available on the council's website.

NP Policy 13

In the Lower Marsh and The Cut CAZ retail frontages, planning applications will be required to:

a) Retain an appropriate mix of retail units, taking particular note of the following:

i) Planning applications involving the loss of an A1 unit will not be supported unless the overall percentage of A1 units remains above 50% following its loss.

ii) Planning applications involving the loss of an A3 unit will not be supported unless the overall percentage of A3 units remains above 30% following its loss.

b) Retain and enhance the retail use of the frontages, taking particular note of the following:

i) Conversion from retail to residential on these streets will not be permitted; and

*ii) Applications to convert ground floor residential units to A1 or A3 use will be supported**

**With the exception of the purpose built housing such as New Cut Housing Coop and Styles House."*

Policy Context (adopted and emerging policy)

The NPPF outlines that the hierarchy of town centres and protected shopping frontages should be defined and policies set that make clear which uses will be permitted in such locations. To support the neighbourhood plan policies, it would be useful to define the town centres in Southwark and Lambeth (Borough & Bankside and Waterloo town centres) on a map along with the identified protected shopping frontages which policies will apply to (specifically in this case The Cut). The policy is broadly consistent with the CAZ frontage policy aims within the London Plan. The Cut is identified as a protected shopping frontage in the saved Southwark Plan whereby policy 1.9 would apply (50% threshold for A1 uses).

Policy P32 of the New Southwark Plan Proposed Submission version for the CAZ shopping frontages in Borough and Bankside is 40%.

NP Policy P13 comments

The figure of 50% in policy P13 should be amended to 40% to be consistent with the emerging New Southwark Plan.

The policy should be supported by evidence (e.g. a survey of uses within the protected shopping frontage) to demonstrate a 40% level of A1 and 30% of A3 uses can be maintained.

The background text should explain why the policy makes exception for the two buildings referred to for clarity purposes.

Rationale

The wording in the first sentence could be amended to better reflect policy designations regarding the Southwark portion of The Cut, i.e. amend wording to refer to Southwark portion of Cut frontage as a “protected shopping frontage” (which is the formal policy designation) rather than “shopping parade.”

NP Policy P14

The neighbourhood will encourage schemes which provide office or workspace in appropriate parts of the area with the following characteristics:

- i. Are able to be subdivided to encourage flexible use and co-working and / or*
- ii. Include a range of unit sizes including offices of under 1000 sq/m and / or*
- iii. Are able to provide accommodation for a range of jobs which are accessible to local people and / or*
- iv. Commit to working with third party employment support providers and local schools to provide work placements, apprenticeships and training support for unemployed people.*

Policy context (adopted and emerging policy) and NP policy P14 comment

The NPPF promotes a strong, competitive economy including encouraging flexible work practices, of which the policy is consistent.

The first part of the NP policy is consistent with saved Southwark Plan policy 1.5 (small business units) Core Strategy Strategic Policy 10 and emerging Policy P26. It would be helpful if this policy was supported by further local evidence base (particular demand for offices under 1,000 sqm) (please see Southwark Employment Land Review 2016) and in particular reference to a sustained demand for high quality new office space in the CAZ and growing trend towards flexible workspaces and co-working space.

The first part of the NP policy is broadly consistent with London Plan policies 4.1 and 4.2 – also see London evidence base e.g. London Office Policy Review, London labour market projections, CAZ SPG (guidance).

We note the reference in the policy regarding the loss of office space of more than 1,000sqm has been removed, this is supported.

Rationale: Is the opening statement of this section supported by evidence? If so can it be included in the plan?

NP policy P15

The neighbourhood will support proposals which enable physical infrastructure improvements to support the development and servicing of the street market at Lower Marsh, including:

- i. Electricity points*
- ii. Storage*
- iii. Refuse storage*
- iv. Improved lighting*
- v. Improved seating*
- vi. Green infrastructure*

Policy context (adopted and emerging policy) and comments

This policy relates solely to land within LB Lambeth, therefore LB Southwark does not have comments regarding this policy.

Guidance point 1 comment

In principle the council supports the provision of business space that is affordable for start-ups and SMEs. S106 financial obligations must be used to make the development acceptable in planning terms. Separate from S106 monies, S106 agreements can be used to secure provision of space for established employers/businesses displaced by a development. This is also the intention for the emerging New Southwark Plan Amended Policy P28 (Small and independent businesses) which the Neighbourhood Forum is welcome to support through the Neighbourhood Plan guidance. Affordable workspace can be encouraged through design specification and working with specialist workspace providers. Subsidising businesses through CIL is not possible. Any CIL spend within the Southwark portion of the Neighbourhood Area must be for physical infrastructure that supports growth as per our S106 & CIL SPD.

Consultation and evidence base

Reference 15 on page 83 requires revisiting, presumably Para 6.38 of Lambeth's employment study should not be referred to and the "unhelpful as the NP area is an.." text

prior to the weblink for the PDF of the report was not intended to be included within the reference.

Section 8.5: Social Infrastructure

NP Policy P16

The Neighbourhood Forum has identified a number of sites or buildings which should be protected for specified community uses or their community significance. Proposals that will result in either the loss of, or in significant harm to, those community assets will not be supported.

Policy context (adopted and emerging policy)

NPPF para 92 restricts the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs.

London Plan Policy 3.16 protects social infrastructure in areas of defined need unless realistic re-provision is proposed. It requires local policy to facilitate alternative community uses where a facility is no longer required.

NP Policy P16 comment

The four sites proposed for protection are located outside of LB Southwark so no further comment is provided.

Guidance point 1 It is advised to manage expectations on the guidance point via more considered wording on the prioritisation and spend of CIL money. Expressing the wishes of the community via these guidance points is acceptable in principle but to use language such as "should only be allocated" implies a hard policy requirement. As the Neighbourhood Forum will be aware LB Southwark already has an established process for the prioritisation and spend of CIL money (see comment on P19 for further comment).

Guidance point 2 (regarding requiring some NCIL monies to be allocated for revenue spend) conflicts with the Southwark approach to CIL in the S106 and CIL SPD (which limits spend to capital projects on physical infrastructure which support growth). Spend on projects is determined by the community councils in consultation with the local community, including the Neighbourhood Forum and informed by the projects included in the Neighbourhood Plan.

Guidance point 9 Again to manage expectations, the NP will not be able to impose a new tax on pop-up shops, shows, installations etc. so the wording of this point should be considered to reflect this.

NP Policy P17

The Neighbourhood Plan recognises the contribution to the artistic and cultural distinctiveness of the area made by Leake Street and seeks to maintain and develop this important feature of the neighbourhood. Applications which contribute to and promote the use of adjoining areas for A1, A3, D1 and D2 uses will therefore be supported.

Policy context (adopted and emerging policy) and comment

No comment as the Leake Street is located outside of Southwark.

Section 8.6: Streetscape and Transport

NP Policy P18 comment

NP Policy P18

Developments which create new public realm of a scale which requires pedestrian way finding should implement the Legible London way finding system in accordance with the Highways Act and relevant Highways Authority guidance

Policy context (adopted and emerging policy)

The NPPF states within that planning decisions and plan-making should seek to make the fullest possible use of walking to actively manage patterns of growth as part of a set of “core planning principles.” Section 9 of the NPPF is dedicated to promoting sustainable transport, including walking.

London Plan policy 6.10 (“Walking”) seeks to ensure a significant increase in walking by emphasising the quality of the pedestrian and street environment, including by promoting the “Legible London” programme to improve pedestrian way finding.

Core Strategy Strategic Policy 11 Sustainable Transport promotes walking, cycling and the use of public transport over travel by car.

Saved Southwark Plan policy 5.3 requires that development creates or contributes to more direct, safe and secure walking and cycling routes.

Throughout the Draft London Plan (minor suggested amendments July 2018) policy encourages walking as a sustainable mode of transport through good design.

New Southwark Plan Proposed Submission version Policy P48 sets requirements for development to encourage walking in the borough. Policy P55 requires development to provide clear and uniform signage to help people move around.

NP Policy P18 comment

It would be worth considering the policy’s wording to include reference to replacing existing Legible London signage as well as implementing new signage through development.

“Key issues” and “consultation and evidence base” section

The statement that “streets are not adequately maintained” (third bullet point pg 60) is rejected by the highways and public realm teams within LB Southwark. For all spaces and routes the council is responsible for we always seek to ensure our public realm and highways are maintained to the highest standards. Please do remember to distinguish between Local Authority-managed Adopted Highway and the Transport for London Road Network (TLRN), which the local authority is not responsible for.

Section 8.7: Planning Gain and Mitigation

NP Policy P19

Where developments create an ongoing and significant cost implication for the management and maintenance of the neighbourhood area outside the development's demise, revenue S106 funding to mitigate the impacts should be secured from the development.

Policy context (adopted and emerging policy) and comment

The NP policy does not consider the relationship between S106 and CIL (S106 is required to mitigate impacts of a development within the immediate vicinity of that development, not somewhere outside of the development's demise).

Any highways-based public realm and highways works delivered in Southwark is required to meet the design standards within the Southwark Streetscape Design Manual (SSDM) :
"Where design proposals for the Highway (including new streets and spaces) are associated with schemes seeking or approved Town and Country Planning Permission then it is important to note that these require separate Approval by the Highway Authority in accordance with SSDM requirements before works may take place on the Highway. In order to avoid the possibility of abortive work due to conflicting consents it is strongly recommended that private bodies or individuals wishing to carrying out works to the Highway engage with the Highway Authority before or in parallel to obtaining other consents.

SSDM adoptable standards apply to all Highways - whether they are existing or proposed, private or publicly adopted and maintained. A form of Departure Approval is always required to vary from the requirements of Design Standards."

Any departure from this standard will be worked through on a case-by-case basis including through S106 agreements and the relevant Highways Approval Authority. Therefore the council does not support this policy.

NP Policy P20

The neighbourhood element of CIL generated in the area should where feasible be used to fund the projects set out in section 9 of the neighbourhood plan or other projects in consultation with SOWN.

Policy context (adopted and emerging policy) and NP policy P20 comment

It is noted that the wording of this policy has been amended and now states 'where feasible'. This amendment is welcomed, if the policy is to remain. LB Southwark has an established process and procedure for identifying, prioritising and funding projects which are proposed to be the beneficiary of the neighbourhood element of CIL. This is set out in our S106 and CIL SPD (2015). Getting a project onto a community infrastructure project list (or CIPL) requires approval from the relevant community council (in this case the Bankside, Borough and Walworth community council), comprised of the ward councillors of the three relevant wards. Therefore, the NP policy is highly restrictive and does not reflect the council's established processes for NCIL projects. The forum would be welcome to continue to suggest projects to the community council after the adoption (and lifetime) of the plan, either as individuals or

part of another community group. However it is not appropriate to accept that individuals/group's suggestions will take precedent over others due to involvement with the neighbourhood forum and associations with the preparation of the neighbourhood plan, as per the NP policy.

As the forum has drafted a list of projects means that the council will look forward to liaising with the local community and SoWN to agree project list priorities and consider the projects included in the NP on the council's CIPL.

Rationale for Policy P20

Regarding the statement which reads: "This arrangement follows the example of the successful London Eye revenue S106 agreement which is defrayed by local people according to local need." This statement does not reflect Southwark's adopted local approach to NCIL, that being that any NCIL spend must be on capital projects which are physical infrastructure that support growth and that the prioritisation of the projects is determined by the community council in consultation with all interested parties within the local community, not just the neighbourhood forum/any successor body.

Guidance in Section 8.7

Obligations within S106 agreements, where agreed/in draft form, are reported within officer report on the application. As part of the statutory consultation process on any application which will require a S106 agreement, any interested persons or parties can submit a representation suggesting ideas for S106 monies spend related to that application.

Southbank and Waterloo Neighbourhood Plan Projects

Projects

Neighbourhood Plan Projects lists

Southwark Council has published guidance on how and why CIL is collected and spent through the S106 & CIL SPD (2015). The council commits to spending 25% of CIL receipts locally regardless of if there is an adopted neighbourhood plan or not. LB Southwark has a local project's list confirmed for the Borough, Bankside and Walworth Community Council Area. These project lists are known as Community Infrastructure Projects Lists, or CIPLs. The SPD explains that generally the area in which the neighbourhood portion of CIL is spent is dependent on existing policy designations, which are in a hierarchy/priority order:

- If a CIL-liable development is in a Neighbourhood Area with an adopted Neighbourhood Plan then the 25% Neighbourhood element of the CIL (NCIL) money raised by said development will be spent in that Neighbourhood Area.
- If there is no neighbourhood plan adopted, and the development is in an opportunity/action area then said opportunity/action area will be the beneficiary of the neighbourhood portion of the CIL funds.
- If there are no opportunity/action areas and the development is in an area designated in an SPD (that does not relate to specific sites/buildings) area then said SPD area will be the beneficiary the neighbourhood portion of the CIL funds.
- If none of the above then the neighbourhood portion of the CIL will be spent in the community council area (in this case Borough, Bankside and Walworth community council area) that the development is in.

Currently, with no adopted neighbourhood plan, the neighbourhood proportion of CIL contributions raised within the SoWN area would be 25% of CIL receipts to be spent within the BBLB Opportunity Area. With no parish or neighbourhood council established it is the Borough, Bankside and Walworth community council that will decide on what project any NCIL money is spent, in consultation with the local community, including the Neighbourhood Forum.

The initial draft projects list is a useful starting point in developing a detailed list of projects. In para 6.6, the CIL/S106 SPD (2015) states that:

"We [Southwark Council] will retain local CIL funds and spend them on projects listed in the Community Infrastructure Project Lists (CIPL) or where relevant on projects listed in an adopted neighbourhood plan. The CIPLs have been developed as the mechanism by which local communities will inform priorities for spending local CIL funds. The CIPLs are project ideas created by the local community and approved by the relevant community council, as the established local decision making forum. Inclusion of potential projects on the CIPL will need to be publically accessible physical infrastructure improvements in the local area which support growth."

The Borough, Bankside and Walworth CIPL reflects these types of investment, that is to say (as per para 6.2 of the SPD) for “provision, improvement, replacement, operation or maintenance of infrastructure to support growth.” As such, the council broadly supports aspects of the draft projects list, including various capital projects that align with the aim of providing and maintaining publically accessible, physical infrastructure that will support growth, for example, project 2 (P2) for “Green infrastructure” or the capital element of the proposed dual capital/revenue project 14 (P14), “Streetscape Design Guidance.”

It is noted that while there are no projects proposed that relate specifically and solely to the part of the Neighbourhood Area within the London Borough of Southwark, projects such as those referenced above (e.g. P2 or partially P14, depending on implementation) could be implemented in, and for the benefit of, that area. Other projects are specific to the London Borough of Lambeth only.

In order for the projects to be registered on a CIPL projects list, the initial concepts need to be worked up further, with further information about the exact geographic location of each proposal. The more detailed the project proposal, the better the chances that a project can easily be implemented and attract match funding from other funding sources. We would recommend checking the draft Bankside Neighbourhood Plan project list – all of these projects are site specific, and many of them have now attracted funding from a variety of sources, including Section 106 monies.

The council does not agree that the inclusion of non-physical, revenue-consuming projects are an appropriate use of CIL receipts, and whether the projects come under the umbrella of “providing and maintaining infrastructure to support growth.” Indeed, of the 16 projects listed, 8 are (or have some form of) revenue basis.

While projects identified as capital projects are physical and therefore largely tangible (such as a new health centre), the revenue-based projects should include a greater level of detail in order for a more informed comment to be made. For example, project 2, (P3) “Air quality improvement” suggests initiatives to improve poor air quality resulting from idling vehicles. It would be helpful if these possible initiatives were identified and their potential impact considered. Regarding the revenue-based projects, it is plausible that the council may consider funding the initial capital elements of these, however such projects do not reflect the guidance in the adopted SPD referenced above and as a result are not whole heartedly supported by the council.

Officers and members would be pleased to work closely with the members of the Neighbourhood Forum, others from the local community and colleagues in LB Lambeth to develop the list further and help ensure projects are able to be included on the CIPL.