

Letter to London Borough of Lambeth

## **Examination of the Revised Lambeth Local Plan: The Inspector's Initial Thoughts and Questions**

Further to your submission of the Revised Lambeth Local Plan on 22 May 2020, I have now received the document and supporting material. From this, and without prejudice to the progress and outcome of the Examination, I have a few thoughts and questions that I wish to make at this stage, which are set out below. I appreciate that, in the short time I have been able to study the Local Plan documentation, I may have missed some vital information which could answer some of my thoughts and questions set out in the table below.

*The Framework* (NPPF) makes it clear that Local Plans need to meet the full, objectively assessed needs for market and affordable housing. Plans must also deal with what will be delivered; where and when it will be delivered; and how it will be delivered through the Local Plan and any supporting documents - this last point touches on the need for realistic, implementable plans, which are more than just aspirational.

The Intention to Publish London Plan is an important material consideration in my examination of the Revised Lambeth Local Plan. However, the Secretary of State's letter to the Mayor of London, dated 13 March 2020, requires the submission of a revised version of the London Plan, and in this letter there are some key observations which I also need to have regard to in my examination of your Lambeth Plan.

In short, taking all these factors into account, I have set out my initial thoughts and questions. These include concerns about the deliverability of a number of other aspects of the Local Plan, which I set out below.

You will appreciate that the initial questions that I raise relate to fundamental matters at the heart of the Local Plan. It is because of this, and with the aim of avoiding any unnecessary expense in mind that I have drawn your attention to these issues now. I also need to say that these do not necessarily represent the only concerns that I may identify, and I reserve my position for the time being.

I am requesting that you give full consideration to the content of this letter and the attached table. To progress matters expediently, I would be grateful if you could provide me with an initial response, including any suggestions you may have regarding the way forward, by **Friday 7 August 2020**.

I trust you find the letter to be helpful. It is written in the spirit of assistance and to ensure that the Examination is as efficient as possible.

Yours sincerely

Mike Fox, Inspector

## Revised Lambeth Local Plan

### Exploratory Items: Inspector's Initial Thoughts and Questions

| Ref. | Soundness Issue               | Inspector's Initial Thoughts and Questions  |
|------|-------------------------------|---|
| 1.   | Strategic considerations      | <p>1.1 The Greater London Authority (GLA) expresses the view that the Revised Lambeth Local Plan (the Plan) should set out clearly on maps its relationship to the <b>London Plan Opportunity Areas</b> (OAs), at Vauxhall/Nine Elms/Battersea and at Waterloo and reflect the indicative targets for 18,500 new homes and 18,000 new jobs at V/NE/B and 1,500 new homes and 6,000 jobs at Waterloo. It would therefore be helpful for these strategic provisions to be addressed in the Plan.</p> <p>1.2 It is also important that the Plan provides a clear articulation of its relationship with the <b>Central Activities Zone</b>, including its relationship within the <b>Central Services Area</b>.</p> |
| 2.   | Sustainable development       | <p>2.1 The information in the <b>Sustainability Appraisal (SA)</b> and technical appendices need to be sufficiently robust to justify the location and quantum of major new development in the Plan. In the Non-Technical Summary, it states (para 8.10), that previous work undertaken on the 2015 Plan remains relevant. It would be helpful to have a <b>statement from the Council</b>, explaining the previous work on reasonable strategic alternatives, and why this is still relevant for the submitted Plan.</p>   |
| 3.   | Indication of the Plan Period | <p>3.1 It is very important for the Plan to indicate, not only its full title on the front cover, but the <b>plan period</b>.</p> <p>3.2 For the purposes of paragraph 22 of <i>the Framework</i>, I would like to know the Council's view as to whether its housing policies, and in particular policy H1 (maximising housing growth) are considered to be strategic. If so, should the Plan make housing provision over at least a <b>15-year plan period</b>, which should also extend from adoption, which is required in the case of a strategic plan.</p>   |
| 4.   | Duty to Cooperate             | <p>4.1 Given that the legal responsibility for the Duty to Cooperate rests with the individual London Boroughs, and also given the <b>London-wide housing shortfall</b> of 140,000 homes over the ten years from 2019/20 to 2028/29, (based on paragraph 6 of the Secretary of State's letter dated 13 March 2020), should the Council be addressing this in this Plan in cooperation with its neighbouring LPAs?</p> <p>4.2 Where does the Council consider <b>the balance</b> to lie between the London Plan (Intend to Publish version) and the individual Boroughs and Development Corporations in addressing the London-wide housing shortfall?</p>  |
| 5.   | Housing need and provision    | <p>5.1 Following on from matter 3.2 above, I accept that the London Plan (para 4.1.12) seems to pose the question rather than require a housing target beyond the ten-year period. If the Council considers that the Plan should address housing needs over a 15-year period (or thereabouts) I need to explore the indicative housing provision to cover the remaining years of the plan period, in accordance with the requirements of paragraph 67 (b) of <i>the Framework</i>.</p>  |

|  |  |  |
|--|--|--|
|  |  | <p>5.2 Policy H1 of the London Plan requires the provision of 13,350 new homes in Lambeth within a ten-year period. The Plan needs to provide a firm basis for securing both this total and a separate total covering small sites (as part of this overall total), a matter on which the Secretary of State expressed his concern in paragraph 18 of his letter. In order to be delivery focused, as required in the London Plan policy H1.B.(1a), and the Secretary of State’s letter, the Plan needs to allocate a <b>sufficient range and number of housing sites</b> that are suitable for residential and mixed-use development and intensification. The trajectory in Appendix 13 to the submitted Plan provides some detail for the large (0.25ha plus) sites, but nothing on the small sites (400 dpa). Detail on the realistic implementation of all sites, including the small sites, is important both for the overall effectiveness of the Plan, and also for assessing the five-year situation.</p> <p>5.3 It would also be helpful at an early stage to understand details of the ‘Other sites’; (12 in all I notice) and whether the sites identified under ‘permission subject to S106’ are realistic, or whether there are significant issues which would cast doubt on the effectiveness of the Plan.</p> <p>5.4 In the light of the above comments, what would be helpful at this point is to have from the Council a <b>statement, setting out the principal components of the Plan’s housing provision</b>, including a schedule of all the large (Strategic) sites, and a summary of the small sites and their status. Clearly, part of the small sites allowance should include windfall sites, but the evidence should be compelling and not just an extrapolation of past trends; for example, is there robust data to support the figure in the Plan? My initial view (subject to the Council’s response to matter 3.2) is that this statement should provide a list of sites extending in their likely implementation over the full length of the plan period, i.e. not just for the London Plan ten years. Clearly, there is more uncertainty the further into the future you go, and broad locations for growth could be identified for the remaining years of the plan period beyond the ten years of the London Plan.</p> <p>5.5 Regarding the <b>Five-Year Housing Land Supply</b>, I notice that the period set out in Appendix 13 of the submitted Plan starts in 2020/21. Should it not start at 2019/20, in general conformity with the first year of the London Plan? The trajectory is also quite uneven over the five-year period. Again, I need to have more detail on the small site contribution.</p> <p>5.6 I need a <b>statement identifying the Council’s five-year housing land supply</b>, and which provides the following essential information: (i) target figure and its justification; (ii) the appropriate size of the buffer, based on the previous five years’ housing supply; (iii) whether any shortfall (if it exists) needs to be made good over the five-year period, or over the entire plan period (i.e. either the Sedgfield or Liverpool method); (iv) whether an allowance has been made for non-completions, and if so, what; and (v) a summary of the principal components of the five-year supply, including small site information.</p> |
|--|--|--|

|    |                      |   |
|----|----------------------|---|
|    |                      | <p>5.7 Policy H2 for <b>affordable housing (AH)</b> refers to the London Plan policy H5 approach but stops short of specifying clear percentages for schemes in relation to particular dwelling numbers. Should not the Plan either state its intention to implement London Plan policy H5 targets or set out its own targets? It also needs to be supported by a viability justification. The policy, by seeking AH from sites providing fewer than 10 dwellings, would appear to run contrary to paragraph 63 of <i>the Framework</i>. What is the justification for this? What is the difference in tenure percentage in this Plan when compared to the provisions in the London Plan, and what is the evidence base for this? Also, what is the reason for deleting the previous sections (c) and (d) of the policy, which required the Council to take into account the individual circumstances of particular sites, including viability, which seems to be out of general conformity with the London Plan, which has viability as a primary consideration?</p> <p>5.8 Policy H8 refers to <b>specialist older persons' housing</b> but stops there. It would appear not to be in general conformity with policy H13 of the London Plan? (which has a target of 70 units of older persons' housing each year for the period 2017-2029.) Is there a robust justification for this?</p> <p>5.9 Policy H10, which addresses <b>gypsy and traveller accommodation</b>, again appears not to be in general conformity with the London Plan policy H14 expectation for 7 pitches in Lambeth over the plan period. What is the Council's justification for providing a reduced figure of 4 pitches?</p> <p>5.10 Some of the housing policies appear to contain <b>high levels of complexity</b>; they seem very prescriptive, setting layers of conditions and in places they appear to lack flexibility. The Secretary of State's letter complains that the London Plan has set out a level of complexity that will reduce the appetite for development further and slow down the system and is also critical of rent caps. Several representors responding to your proposed submission version of the Lambeth Plan are making similar comments, especially in relation to policies H5 (Housing standards), H11 (Estate regeneration), H12 (Build to rent) and H13 (Large scale purpose-built shared living). Given the likelihood that the Intend to Publish London Plan will revisit these issues, it would be helpful for the Council to assess its policies in the light of the Secretary of State's letter and consider whether any of these policies need to be simplified and/or made more flexible.</p> |
| 6. | Economic Development | <p>6.1 Concern has been expressed in representations that policy ED2, which seeks to promote <b>affordable workspace</b>, is in fact doing the opposite. I understand that a key reason for this is because refurbishment projects play a significant part in delivering much needed office floorspace in Lambeth (one survey has put the figure at 42% in the Southbank area and around one third overall in the Borough). The suggestion from several representors is that the policy could be found sound by only requiring affordable workspace to be provided on any net increase in floorspace, rather than on the overall total of floorspace, so as not to frustrate the overall delivery of workspace and subsequently affordable workspace. If the Council is minded to continue to propose the existing submitted policy, I require a <b>statement which looks at the</b></p>  |

|    |                    |   |
|----|--------------------|---|
|    |                    | <p><b>robustness of the reasoning behind the policy</b>, including the viability implications.</p> <p>6.2 Concern has been expressed in relation to policy ED3 (Key Industrial and Business Areas (KIBAs) regarding the deletion of the business element from the definition of the <b>Key Industrial and Business Areas</b> (KIBAs). Given the problems of stock availability and higher rents for small and medium enterprise (SME) uses, and the evidence pointing to some SMEs failing in the Borough, what is the justification for the change in policy ED4 from the adopted Plan version of the policy?</p> <p>6.3 <b>Jobs for local residents:</b> Whilst many representatives share some sympathy with the overall objectives of the Council in seeking to secure local jobs for local people, concern has been expressed for the requirement in policy ED15 for a minimum of 25% of all jobs created by development is to be secured for local residents. Where does this figure come from? How realistic is it in relation to the relatively low unemployment rates in both Lambeth and Greater London? Where is its justification in relation to <i>the Framework</i> and PPG? How can this policy be squared with London's position as a global city which attracts talents from all over the world?</p> |
| 7. | Environment issues | <p>7.1 Concern is expressed by the GLA that the <b>waste policies</b> require further clarification as to how the Borough proposes to achieve overall net self-sufficiency in this important area. It would be helpful to have a <b>statement from the Council as to how it intends to address the gap in capacity</b>, which the GLA puts at 143,000 tonnes up to 2021 and 152,000 tonnes by 2041. I understand that one way to address this is through the intensification of existing waste sites. The Council's statement should include an explanation as to how it proposes to address this issue, including any suggested changes to policy EN7.</p> <p>7.2 Policy EN3 setting out requirements for <b>decentralised energy</b> would already appear to be outdated in relation to current practice; in any event, what is the justification for retaining this policy?</p>  |