

Representation	Officer Response
<p data-bbox="188 317 913 344">P1: Social rented and intermediate homes (Amended policy)</p> <p data-bbox="188 357 577 421">Organisation: JLL/ DTZ Investors NSPPSV369</p> <p data-bbox="188 466 1137 673">DTZ Investors has been managing real estate investment for nearly 50 years. It currently has a team of 122 staff managing more than £8.0/ €10.0 billion of property in nearly 450 assets across Europe for long-term investor clients. Southernwood Retail Park (identified on the to the attached site plan at Appendix 1) is managed by DTZ Investors on behalf of the administrators of the Strathclyde Pension Fund, Glasgow City Council.</p> <p data-bbox="188 718 1142 890">Southernwood Retail Park is approximately 1 hectare in size and broadly rectangular in shape. It is bordered by Old Kent Road to the south, Rowcross Street to the east, Humphrey Street (B204) to the west and Rolls Road (B204) to the north. It is occupied by 4 retail units and a surface car park containing 175 spaces.</p> <p data-bbox="188 935 1146 1107">The site is proposed for allocation as part of 'Site OKR4: Dunton Road (Tesco store and car park) and Southernwood Retail Park' in the emerging Old Kent Road Area Action Plan ("AAP") for mixed use redevelopment, to include retail (A use class), office (B1a use class), residential (C3 use class), community (D use class) uses and a new urban square.</p> <p data-bbox="188 1152 1142 1423">An application (ref: 18/AP/3551) has also been submitted for redevelopment of the site, seeking planning permission for a Hybrid planning application for detailed permission for Phase 1 and outline planning permission for Phase 2 comprising: "Application for full planning permission for 'Phase 1' comprising demolition of existing buildings and the erection of a part 9, part 14, part 15, part 48 storey development (plus basement) up to 161.25m AOD, with 940 sqm GIA of (Class A1) retail use, 541 sqm GIA of flexible (Class A1/A2/A3) retail/financial and</p>	<p data-bbox="1180 466 2065 778">Policy P1 introduces the fast track approach which is set at 40% affordable housing requirement and 60% in the Aylesbury Area Action Plan area. Where 40% affordable housing or 60% in the Aylesbury Area Action Plan is to be provided with no grant subsidy and the policy compliant tenure split, the applicant can follow the fast track route. A viability assessment is not required for public scrutiny in this case. 35% affordable housing should be provided as 25% social rented homes and 10% as intermediate homes or as per table 2, the remainder can be social rented and/or intermediate homes.</p> <p data-bbox="1180 823 2056 1104">The fast track route provides an incentive for developers to push up their affordable housing provision as they can fast track their application. We have set a higher threshold than the Draft London Plan given our acute need to deliver affordable housing. Most of our planning applications coming forward are meeting 35% affordable housing with the greatest providing 40.5% and therefore we want to ensure we can increase the provision further. If the fast track route is not being taken, the applicant has the option to follow the viability tested route.</p> <p data-bbox="1180 1149 2065 1283">The reason for the higher fast track threshold is due to the acute need of affordable housing of 2,077 homes per annum in the borough as identified in the SHMA 2019, therefore this figure is higher than the figure proposed in the Draft London Plan given the local need.</p> <p data-bbox="1180 1327 2042 1391">The reasons now state that for developments proposed on public sector land, the Mayor's approach will be followed.</p>

professional services/restaurant and café use, 8717 sqm GIA (Class C1) hotel; 541 (class C3) residential units (51,757 sqm GIA); landscaping, public realm and highway works, car and cycle parking and servicing area, plant and associated works.

Application for outline planning permission (with details of internal layouts and external appearance reserved) for 'Phase 2' comprising demolition of existing buildings and the erection of a part 9, part 12, storey development (plus basement) up to 42.80m AOD, with 1049 sqm GIA of flexible (Class A1/A2/A3) retail/financial and professional services/restaurant and café use; 183 (Class C3) residential units (17,847sqm GIA), 1141 sqm GIA (Class D2) cinema and the creation of a 475 sqm GIA (Class C1) hotel service area at basement level; landscaping, public realm and highway works, car and cycle parking and servicing area, plant and associated works.”

The application is currently under consideration and scheduled to be determined at planning committee on 28 May 2019. Notwithstanding this, DTZ Investors and Strathclyde Regional Pension Fund are keen to ensure the emerging planning policy framework for the borough is not unduly restrictive and does not unreasonably hamper future development, through submission of the representations to the New Southwark Plan - Proposed Submission Version - Amended Policies, detailed below.

Amended Policy P1: Social rented and intermediate homes

Concern is expressed that the proposed change to draft Policy P1 to set the threshold for affordable housing provision at 40% in order to benefit from the “fast Track Route” is internally inconsistent, conflicts with both the adopted and emerging London Plan, and is unjustified.

The draft policy identifies a policy compliant mix to comprise 25% social rented and a minimum of 10% intermediate housing, which equates to 35% affordable housing in total, with the “percentage” part of the policy identifying at criterion 1 the requirement for developments that create 11 or more homes to “provide

a minimum 35% social rented and intermediate homes, as set out in Table 1, subject to viability”. It is therefore internally inconsistent for the “viability” part of the same policy to set a threshold of 40% affordable housing to benefit from the Fast Track route.

Whilst the current London Plan does not define an affordable housing requirement specifically, the supplementary planning guidance to the London Plan, Homes For Londoners Affordable Housing And Viability Supplementary Planning Guidance (SPG) 2017 identifies (at paragraph 2.3) a ‘threshold approach’, “whereby schemes meeting or exceeding 35 per cent affordable housing without public subsidy (or 50 per cent where on public land, without grant) can follow a ‘Fast Track Route’, [which] means applicants are not required to submit viability information at the application stage”.

This principle is carried forward in the draft London Plan at draft policy H6 – albeit with the provision that the 35 per cent threshold “will be reviewed in 2021”.

Although there is some flexibility within the “Homes For Londoners Affordable Housing And Viability SPG” (identified at paragraph 2.7) for boroughs to continue to apply an existing adopted approach that delivers a higher average percentage of affordable housing (without public subsidy), Strategic Policy 6 (Homes for people on different incomes) of Southwark’s Core Strategy requires “a minimum of 35% affordable housing units on developments with 10 or more units” (except within the Aylesbury Action Area core, where this requirement is 50%).

As well as conflicting with other parts of the same draft policy and the existing and emerging London Plan, there is no justification provided by LB of Southwark for why a 40% threshold is proposed – with no evidence of thorough viable testing to support such provision. Accordingly, whilst the identification of the fast track route within draft Policy P1 is welcomed this needs to be amended to refer to the correct policy-compliant threshold of 35% for the draft policy to be made sound.

<p>Change sought</p> <p>Policy P1: Social rented and intermediate homes (Amended policy) ...Development that provides 40 35% affordable housing with a policy compliant tenure mix (a minimum of 25% social rented and a minimum of 10% intermediate housing) can follow the fast track route and will not be subject to a viability appraisal. A review will only be necessary if amendments are proposed to lower the affordable housing provision to less than 40 35% following the grant of planning permission.</p>	
<p>Organisation: GLA NSPPSV66</p> <p>P1 Social rented and intermediate housing</p> <p>As stated in his previous letter, the Mayor supports Southwark’s ambition to secure a strategic target of 50% of all new homes as affordable, which is in line with draft London Plan Policy H5 Delivering affordable housing and the Mayor’s Affordable Housing and Viability SPG 2017.</p> <p>Given the publication of the draft new London Plan and the National Planning Policy Framework 2018, Southwark should use an affordable housing threshold of 10 or more dwellings and should reflect the range of affordable housing products set out in draft new London Plan policy H7.</p> <p>The Mayor welcomes the inclusion of additional text that sets a clear threshold for affordable housing schemes to follow the fast track approach that therefore will not be subject to a viability appraisal. However, to ensure that this is in conformity with the approach in the draft new London Plan, Southwark needs to ensure that its threshold and overall approach is justified. The approach needs to incentivise applicants to meet the threshold and choose the fast track route. If the threshold is not generally achievable, it cannot be taken up by applicants, effectively ruling out the fast track route. If there is no incentive for developers to meet a consistent affordable housing target, the approach in the NSP is</p>	<p>Noted.</p> <p>Policy P1 has now been amended to require developments of 10 homes or more to provide a minimum of 35% affordable housing to be consistent with the Draft London Plan.</p> <p>Policy P1 introduces the fast track approach which is set at 40% affordable housing requirement and 60% in the Aylesbury Area Action Plan area. Where 40% affordable housing or 60% in the Aylesbury Area Action Plan is to be provided with no grant subsidy and the policy compliant tenure split, the applicant can follow the fast track route. A viability assessment is not required for public scrutiny in this case. 35% affordable housing should be provided as 25% social rented homes and 10% as intermediate homes or as per table 2, the remainder can be social rented and/or intermediate homes.</p> <p>The fast track route provides an incentive for developers to push up their affordable housing provision as they can fast track their application. We have set a higher threshold than the Draft London Plan given our acute need to deliver affordable housing. Most of our planning applications coming forward are meeting 35% affordable housing with the greatest providing 40.5% and therefore we want to ensure we can increase the</p>

effectively 'the maximum reasonable'. This will not maximise the delivery of affordable housing across London as a whole and a fixed affordable housing percentage will not be embedded into land values over time, in accordance with draft new London Plan Policy DF1. A fixed threshold that is evidenced such as the 35% and 50% thresholds set out in the London Plan, provides certainty and seeks to embed affordable housing requirements in land values and avoids circumstances, which have become prevalent over recent years, where a lack of clarity regarding affordable housing requirements contributed to uncertainty in the land acquisition process. This introduced a circularity in which developers overpaid for sites and then attempted to recover some or all of this overpayment through reductions in affordable housing provision.

The new text contradicts the approach set out under the Percentage heading which seeks viability assessments from all schemes in order to seek the maximum affordable housing viable. The latter approach does not provide certainty in the planning process and could result in delays.

As stated in his previous response, Southwark's affordable housing policy should reflect the threshold approach to viability as set out in the Mayor's Affordable Housing and Viability SPG 2017. The threshold approach allows for 'fast tracking' applications that will provide 35% affordable housing without grant and 50% for development on public sector land and industrial sites. With the proposed release of significant amounts of industrial land within the borough, Southwark should make reference to the latter threshold for public land and schemes where industrial capacity is lost, as set out in Policy H6 Threshold approach to applications in the draft London Plan.

The supporting text should note that affordable housing should only be provided off-site in exceptional circumstances, except for small housing schemes.

provision further. If the fast track route is not being taken, the applicant has the option to follow the viability tested route.

The reason for the higher fast track threshold is due to the acute need of affordable housing of 2,077 homes per annum in the borough as identified in the SHMA 2019, therefore this figure is higher than the figure proposed in the Draft London Plan given the local need.

The reasons now state that for developments proposed on public sector land, the Mayor's approach will be followed.

The Old Kent Road Opportunity Area Viability Study (April 2016) prepared by BNP Paribas Real Estate on behalf of Southwark considers the viability of meeting planning policy requirements as set out in the New Southwark Plan and the Old Kent Road Area Action Plan for development in the Old Kent Road opportunity area.

The testing confirms that the Council's policy requirement of 35% affordable housing is acceptable. In some instances, subject to their benchmark land value and grant funding available, sites can achieve higher provisions of affordable housing (45% affordable housing). The study also confirms that some schemes have challenging viability.

Although some sites can deliver 45% affordable housing, industrial sites can incur exceptional costs which can be an issue for development viability. Our flexible approach to affordable housing in the Borough (including Old Kent Road action area) ensures full consideration can be given to the viability of redeveloping sites.

It is unviable to set a threshold approach of 50% affordable housing on Strategic Industrial Locations, Locally Significant Industrial Sites and Non-Designated Industrial Sites appropriate for residential uses where the scheme would result in a net loss of industrial capacity. Expecting 50%

	<p>affordable housing to be provided on industrial land, particularly on Old Kent Road may have significant consequences on the viability of schemes coming forward, and as such, this requirement is not applied in Policy P1.</p> <p>Within the reasons it now states that social rented and intermediate housing should be provided on schemes of 10 units or more, only in exceptional circumstances will they be permitted off-site or a payment in lieu will be accepted.</p>
<p>Individual NSPPSV333</p> <p>No further comment applied</p>	<p>Noted.</p>
<p>Organisation: Submitted on behalf of Southwark Charities NSPPSV334</p> <p>We write in regard to the above current planning policy consultation on the emerging New Southwark Local Plan (“the Plan”) on behalf of Southwark Charities (“our Client”). Our Client is a long established charitable organisation within Southwark with the oldest component of the charity being founded in 1603 with over 400 years of charitable activity within the borough.</p> <p>Our Client has two significant freeholds within Southwark with these being Edward Edwards' House, Blackfriars and St Mary Newington Close, Walworth. Both of these sites provide essential residential accommodation in the borough for older people in the form of almshouses, with this accommodation offering older persons in need the opportunity to lead independent lives in a safe, secure and supported environment.</p> <p>The following comments are therefore submitted in the context of ensuring that the Plan allows for our Client to maintain and enhance this highly valuable</p>	<p>Reference to Policy P5 within Policy P1 is not necessary. The Plan should be read as a whole and housing for older people is considered in Policy P5 which sets out that development for new specialist housing for older people must provide conventional housing as per Policy P1 or specialist affordable accommodation for older people subject to need.</p>

specialist accommodation for older people within the borough.
Current Public Consultation (Amended Policies January 2019)
In regard to the current consultation we confirm our support that the Plan is legally compliant in accordance with the Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2012. Similarly and in accordance with Paragraph 35 of the National Planning Policy Framework (2018), it is considered that the Plan is in principle 'sound' in the context of being justified, effective, consistent with national policy and the London Plan, and positively prepared.

We do however make the following minor recommendations to the updated Plan to ensure full compliance.

It is considered that for purposes of clarity and to ensure that the policy is effective that the supporting text to Policy P1 should acknowledge Policy P5 (Housing for Older People) and it's linked approach that specialist affordable accommodation for older people can come forward (subject to need) instead of conventional affordable housing. In the absence of this clarification a housing scheme for older people with specialist affordable accommodation could be deemed to be in conflict with the aspirations of Part (1) of Policy P1. Whilst we do not think that this is the intention of the proposed wording of the local plan, a simple clarification at this stage would be helpful. The supporting text to Policy P1 should acknowledge Policy P5 (Housing for Older People).

Organisation: DP9 on behalf of BL CW Holdings Ltd
NSPPSV336

Paragraph 2 under the viability section of Policy P1 introduces new wording to the policy stating that developments which provide 40% affordable housing with a policy compliant tenure mix (a minimum of 25% social rented and a minimum of 10% intermediate housing) can follow the fast track route and will not be subject to a viability appraisal. A review will only be necessary if amendments are proposed to lower the affordable housing provision to less than 40% following the grant of planning permission.

Policy P1 introduces the fast track approach which is set at 40% affordable housing requirement and 60% in the Aylesbury Area Action Plan area. Where 40% affordable housing or 60% in the Aylesbury Area Action Plan is to be provided with no grant subsidy and the policy compliant tenure split, the applicant can follow the fast track route. A viability assessment is not required for public scrutiny in this case. 35% affordable housing should be provided as 25% social rented homes and 10% as intermediate

The supporting text does not provide any justification as to how the 40% threshold has been derived at and the most recent viability study undertaken as part of the Council's Local Plan evidence base (BNPP, November 2017) does not explore setting a 40% fast-track threshold. This new policy is therefore unsound as it has not been robustly justified and is not evidence-led. It is also not consistent with regional policy, with the Mayor's Affordable Housing and Viability SPG setting a fast-track threshold of 35% affordable housing, without public subsidy and on land which is not public land.

British Land support the creation of affordable homes to rent that meet a mix of needs. However, restricting the affordable to lower income households will limit the ability of projects to deliver homes for keyworkers and other middle-income households. It is recommended that the mix of affordable includes a proportion of homes for rent between London Living Rent and rents affordable to households on incomes of £60,000, which is in conformity with the London Plan.

Part 4 of Policy P1 states that "housing requirements will be calculated in habitable rooms. Where affordable habitable rooms and market habitable rooms are not of equivalent size across the development affordable housing requirements will be calculated in floorspace". It is not clear how Southwark Council will determine "equivalence" and how this policy would be applied practically where some units have shared living/kitchen/dining which are, by their very nature, much larger rooms.

These representations are submitted alongside and should be read in conjunction with the comments submitted by British Land in relation to previous iterations of the New Southwark Plan.

homes or as per table 2, the remainder can be social rented and/or intermediate homes.

The fast track route provides an incentive for developers to push up their affordable housing provision as they can fast track their application. We have set a higher threshold than the Draft London Plan given our acute need to deliver affordable housing. Most of our planning applications coming forward are meeting 35% affordable housing with the greatest providing 40.5% and therefore we want to ensure we can increase the provision further. If the fast track route is not being taken, the applicant has the option to follow the viability tested route.

The reason for the higher fast track threshold is due to the acute need of affordable housing of 2,077 homes per annum in the borough as identified in the SHMA 2019, therefore this figure is higher than the figure proposed in the Draft London Plan given the local need.

A factbox has been included in Policy P1 which clarifies how habitable rooms will be calculated for affordable housing purposes.

Individual
NSPPSV340

No further comment applied

Noted

In order to be 'sound', new policies must be consistent with national policy and the London Plan. The draft London Plan sets a threshold whereby applications which deliver 35% affordable housing based on habitable rooms are eligible for a fast track route and are not required to submit a viability assessment (draft Policy H6). The proposed 40% threshold within the Policy P1 is therefore not consistent with the London Plan. The threshold for the fast track route should be reduced to 35% in line with the London Plan and minimum affordable housing target of Policy P1.

There is a strong evidence base to support the need for and viability of the 35% threshold within the draft London Plan which reflects prevailing viability conditions across London and creates consistency and a level of certainty across London. Further, although the threshold is proposed at 40%, Policy P1 also sets the minimum level of affordable housing at 35%. The proposed threshold therefore fails to comply with the draft London Plan and the overall aims of the New Southwark Plan which both set affordable housing targets at 35%, the threshold should therefore align with the London Plan and be set at 35% for clarity and consistency.

The NPPF requires plan-makers to pay careful attention to viability to ensure cumulative policy requirements do not undermine the deliverability of plans. There is no evidence on Southwark's website relating to Policy P1 to support the 40% threshold and the only evidence relating to affordable housing for the New Southwark Plan is the South East London SHMA (document reference number EB10) which does not suggest a threshold of 40%. There is therefore no evidence to justify the proposed 40% threshold and demonstrate it will be viable; the emerging policy is therefore not sufficiently justified and fails the test of soundness.

Therefore, while the introduction of a threshold approach to affordable housing

Policy P1 introduces the fast track approach which is set at 40% affordable housing requirement and 60% in the Aylesbury Area Action Plan area. Where 40% affordable housing or 60% in the Aylesbury Area Action Plan is to be provided with no grant subsidy and the policy compliant tenure split, the applicant can follow the fast track route. A viability assessment is not required for public scrutiny in this case. 35% affordable housing should be provided as 25% social rented homes and 10% as intermediate homes or as per table 2, the remainder can be social rented and/or intermediate homes.

The fast track route provides an incentive for developers to push up their affordable housing provision as they can fast track their application. We have set a higher threshold than the Draft London Plan given our acute need to deliver affordable housing. Most of our planning applications coming forward are meeting 35% affordable housing with the greatest providing 40.5% and therefore we want to ensure we can increase the provision further. If the fast track route is not being taken, the applicant has the option to follow the viability tested route.

The reason for the higher fast track threshold is due to the acute need of affordable housing of 2,077 homes per annum in the borough as identified in the SHMA 2019, therefore this figure is higher than the figure proposed in the Draft London Plan given the local need.

is welcomed and would be in line with the London Plan, the proposed level of 40% is not consistent with national policy and no evidence has been provided as to why the emerging policy should deviate from the draft London Plan. As such, emerging Policy P1 within the New Southwark Plan cannot be considered to be sound.

**Organisation: TfL Commercial Development
NSPPSV182**

TfL CD notes that the Council has renamed this policy from Affordable Housing to Social Rented and Intermediate Housing. Therefore, the Council has deleted reference to other affordable housing tenures.

TfL CD considers that the policy should be retitled Affordable Housing as this is the accepted terminology and with a clear and widely understood definition set out in both the NPPF and DNLP, with which the new Southwark Plan should be in general conformity.

In accordance with the DLP, the policy and supporting text should make clear that development can provide a mix of different affordable housing tenures and that the Mayor's preferred affordable housing tenures [DNLP paragraph 4.7.3] are:

- Homes based on social rent levels, including Social Rent and London Affordable Rent
- London Living Rent
- London Shared Ownership

The amended policy introduces a new paragraph on a 'fast track route' for housing development which would not require viability testing. The new paragraph requires development to provide 40% affordable housing in order to benefit from the 'fast track' route. This does not conform to either the DLP or the Mayor's Homes for Londoners Affordable Housing and Viability SPG (adopted in 2017), both of which require provision of 35% affordable housing in

The Policy is named as such because social rented and intermediate housing are the tenures of affordable housing accepted in the borough, thus providing more clarity for developers. These are applied in Southwark given the identified need in the Borough within the SHMA 2019.

The Policy also sets out what housing tenures we accept.

Policy P1 introduces the fast track approach which is set at 40% affordable housing requirement and 60% in the Aylesbury Area Action Plan area. Where 40% affordable housing or 60% in the Aylesbury Area Action Plan is to be provided with no grant subsidy and the policy compliant tenure split, the applicant can follow the fast track route. A viability assessment is not required for public scrutiny in this case. 35% affordable housing should be provided as 25% social rented homes and 10% as intermediate homes or as per table 2, the remainder can be social rented and/or intermediate homes.

The fast track route provides an incentive for developers to push up their affordable housing provision as they can fast track their application. We have set a higher threshold than the Draft London Plan given our acute need to deliver affordable housing. Most of our planning applications coming forward are meeting 35% affordable housing with the greatest providing 40.5% and therefore we want to ensure we can increase the provision further. If the fast track route is not being taken, the applicant

order to benefit from the 'fast track' route. The DNLP approach is underpinned by viability testing.

Therefore, the proposed amendment would not conform to the London Plan and we are not aware of any evidence being provided by the Council to justify the borough's departure from the London-wide approach, or that the higher percentage is deliverable.

In addition, and critically for TfL, the amendment undermines our 'portfolio agreement' for affordable housing delivery that has been agreed with the Mayor. TfL's portfolio agreement enables us to vary the percentage of affordable housing provided on different sites in order to optimise affordable housing delivery and tenure mix across our portfolio of sites in London. TfL must deliver at least 50% affordable housing across our portfolio, with a minimum of 35% provided on every site and many sites delivering more than 50%.

The amendment does not conform with paragraph 4.6.5A of the DLP which states that:

"Where there is an agreement with the Mayor to deliver at least 50 per cent across the portfolio of sites, then the 35 per cent threshold should apply to individual sites."

On this basis, the amendments to the affordable housing policy are not justified, are not in general conformity with the DNLP and put the efficient delivery of both affordable and linked private for sale / rented housing provision at risk in the borough, particularly on publicly-owned land where there is a portfolio agreement with the Mayor.

has the option to follow the viability tested route.

The reason for the higher fast track threshold is due to the acute need of affordable housing of 2,077 homes per annum in the borough as identified in the SHMA 2019, therefore this figure is higher than the figure proposed in the Draft London Plan given the local need.

Organisation: CBRE
NSPPSV344

Policy P1 has been amended and requires a minimum of 35% Affordable Housing of which a minimum of 25% should be social rented housing and a minimum of 10% should be intermediate.

Previously Policy P1 required that all development that did not meet affordable housing requirements for viability reasons will subject to viability reviews. The Affordable Housing requirement was set out as a minimum 35% Affordable Housing (with a minimum 25% social rented and a minimum 10% intermediate as above).

The amended Policy P1 now introduces a fast track route to viability whereby, development that provides 40% Affordable Housing with a policy compliant tenure mix (with a minimum 25% social rented and a minimum 10% intermediate) can follow the fast track and will not be subject to viability appraisal. As the minimum social rent is still set at 25%, the additional affordable can therefore be intermediate.

The 40% requirement goes above and beyond the draft London Plan which sets the fast track route at 35%. It is not clear why the NSP sets a more onerous requirement and why this is justified. Furthermore, it is not clear how the viability review process would work in practice i.e. in terms of subsequent reviews following the initial viability appraisal at application stage.

Sites released from industrial use such as the Six Bridges Estate which have been identified for redevelopment in the NSP and the Old Kent Road Area Action Plan have the objective to deliver innovative mixing of industrial and residential use. This has not been done in London before and will be complex and risky to deliver with significant additional viability challenges. In recognition of this, Royal London challenge the increase in the threshold for viability testing from 35% to 40% and consider the previous position to apply 35% as the threshold for viability testing should be reinstated.

Policy P1 introduces the fast track approach which is set at 40% affordable housing requirement and 60% in the Aylesbury Area Action Plan area. Where 40% affordable housing or 60% in the Aylesbury Area Action Plan is to be provided with no grant subsidy and the policy compliant tenure split, the applicant can follow the fast track route. A viability assessment is not required for public scrutiny in this case. 35% affordable housing should be provided as 25% social rented homes and 10% as intermediate homes or as per table 2, the remainder can be social rented and/or intermediate homes.

The fast track route provides an incentive for developers to push up their affordable housing provision as they can fast track their application. We have set a higher threshold than the Draft London Plan given our acute need to deliver affordable housing. Most of our planning applications coming forward are meeting 35% affordable housing with the greatest providing 40.5% and therefore we want to ensure we can increase the provision further. If the fast track route is not being taken, the applicant has the option to follow the viability tested route.

The reason for the higher fast track threshold is due to the acute need of affordable housing of 2,077 homes per annum in the borough as identified in the SHMA 2019, therefore this figure is higher than the figure proposed in the Draft London Plan given the local need.

Viability reviews will be considered further within an updated viability SPD following the adoption of the New Southwark Plan.

The declaration that the all homes should be affordable is welcome, as is the change of title. The term 'affordable' has been debased and remains problematic and there is a concern about unintended consequences, if all types or tenures of housing are deemed 'affordable'. The descriptions of affordable housing in the National Planning Policy Framework and London Plan must be applied consistently in planning decisions.

1. Remove 'subject to viability'. Providing housing for a 'range of incomes' may be thought desirable, but the priority should be to build social rented housing and rehouse those on the housing waiting list. Mixed tenure developments create a hierarchy of tenures, with social division and different levels of access to community facilities, problems that the NSP does not address.

3 While phasing should be used to ensure early delivery of affordable housing, there should be consideration of any unintended consequences of phasing, such as the divisions created, mentioned above.

4. 'Housing requirements will be calculated in habitable rooms' – comment on the relative merits of using floorspace/both needed. Viability

2. Remove. There should be no 'fast-track' viability procedure. All proposed developments should be subject to viability assessment and review, for as long as this is the method for determining the levels of affordable housing. While introducing a 'fast-track' may be seen to incentivise higher levels of affordable housing it will further encourage developers to game the system. Alternatively, the threshold for the 'fast-track' should be raised to 50% affordable housing in line with the Mayor's strategic target and need.

Reasons

The note on affordable housing has been amended and moved into the reasons section of P1, the term affordable is not specific enough which is why we use the descriptive terms i.e social rent and intermediate housing. This is not intended to mean that all housing is affordable.

The viability of schemes will be tested through the submission of a viability assessment which will ensure the most viable amount of affordable housing is provided. The Council's priority is for social rented housing which is set out in Policy P1 and is also recognised in the Housing Strategy which seeks to achieve 11,000 council homes by 2043.

Phasing of development will not be permitted where it has the effect of circumventing affordable housing requirements.

A factbox has been included in Policy P1 which clarifies how habitable rooms will be calculated for affordable housing purposes.

The fast track route provides an incentive to developers to provide more affordable housing without having to undertake the viability negotiations. The fast track has been introduced due to the acute need of affordable housing of 2,077 homes per annum in the borough as identified in the SHMA 2019, therefore this figure is higher than the figure proposed in the Draft London Plan given the local need.

The factbox has been reinserted.

<p>Para 2. Restore deleted sentence, in line with comment above.</p> <p>Fact Box: Affordable housing products</p> <p>Restore. We can see no reason for the complete removal of the Fact Box, which provides the necessary underpinning for P1.</p>	
<p>Individual NSPPSV50</p> <p>There should be no permission for new housing that does not directly meet need i.e. clearing the backlog / waiting list. Developments of at least 65% unaffordable housing are undisputedly unsound!</p>	<p>Policy P1 requires the provision of 35% affordable housing in line with the London Plan. If this cannot be met, this will need to be evidenced in the viability appraisal. Developers will be encouraged to exceed the provision of 35% affordable housing where viable to boost the delivery of affordable housing.</p>
<p>Organisation: DP9 NSPPSV352</p> <p>Point 2 states that ‘Development that provides 40% affordable housing with a policy compliant tenure mix (a minimum of 25% social rented and a minimum of 10% intermediate housing) can follow the fast track route and will not be subject to viability appraisal. A review will only be necessary if amendments are proposed to lower the affordable housing provision to less than 40% following grant of planning permission’ This should be updated to accord with the threshold approach outlined within the Mayor’s ‘Homes for Londoners – Affordable Housing and Viability’ SPG (2017) to account for the fast track route where a viability appraisal is not required for applications that meet or exceed 35% affordable housing provision without public subsidy, provide affordable housing on-site, meet the specified tenure mix, and meet other planning requirements and obligations to the satisfaction of the LPA and the Mayor where relevant.</p> <p>Point 5 states that use of the ‘Vacant Building Credit’ will not be accepted. The Mayors Homes for Londoners – Affordable Housing and Viability’ SPG identifies that there may be some circumstances where the credit should be applied. The</p>	<p>The fast track route provides an incentive to developers to provide more affordable housing without having to undertake the viability negotiations. The fast track has been introduced due to the acute need of affordable housing of 2,077 homes per annum in the borough as identified in the SHMA 2019, therefore this figure is higher than the figure proposed in the Draft London Plan given the local need.</p> <p>Vacant building credit is not accepted, as viability testing is undertaken within all applications, therefore it is not necessary. Affordable housing need is critical in Southwark, allowing vacant building credit could jeopardise the delivery of affordable housing.</p>

wording of this policy should therefore be updated to allow for these circumstances, specifically where the criteria outlined at paragraphs 2.75 and 2.76 of the SPG are met. So, Point 5 should say “Vacant Building Credit” will be only be accepted where all of the following criteria are met:

- The building is not in use at the time the application is submitted;
- The building is not covered by an extant or recently expired permission;
- The site is not protected for alternative land use; and
- The building has not been made vacant for the sole purpose of redevelopment. This must be demonstrated in line with para 2.76 of the Mayor’s Affordable Housing and Viability SPG”.

Individual
NSPPSV56

I do not consider this policy sound as it is not justified or effective.

- It is unclear what the new statement labelled ‘NB All homes in Southwark should be affordable, We do not use the term affordable to describe any specific type of tenure of housing’ means and if it is a policy or an aspiration or a definition of a term.
- If it is a policy then the policy is not effective as the majority of housing being given planning permission is outside the means of most people who live in the borough, and therefore not affordable.
- This is another amendment where the title has been changed but the term continues to be used in the text (social regeneration is another). This indicates that a fundamental problem with the policy is being seen, but a change of phrase is not enough to solve it.

Some changes to make the policy sound:

- There needs to be clarity about the nature of the NB statement.
- There needs to be a clear policy statement that no new housing will be built in the borough which is beyond the means of most people on the housing waiting list until the waiting list is cleared, and/or that the proportion of unaffordable housing being given permission should be reduced to match the percentage of people with incomes which makes that affordable for them.

The note on affordable housing has been amended and moved into the reasons section of P1, the term affordable is not specific enough which is why we use the descriptive terms i.e social rent and intermediate housing. This is not intended to mean that all housing is affordable.

Policy P1 requires the provision of 35% affordable housing in line with the London Plan. If this cannot be met, this will need to be evidenced in the viability appraisal. Developers will be encouraged to exceed the provision of 35% affordable housing where viable to boost the delivery of affordable housing.

The declaration that the all homes should be affordable is welcome, as is the change of title. The term 'affordable' has been debased and remains problematic and there is a concern about unintended consequences, if all types or tenures of housing are deemed 'affordable'. The descriptions of affordable housing in the National Planning Policy Framework and London Plan must be applied consistently in planning decisions.

1. Remove 'subject to viability'. Providing housing for a 'range of incomes' may be thought desirable, but the priority should be to build social rented housing and rehouse those on the housing waiting list. Mixed tenure developments create a hierarchy of tenures, with social division and different levels of access to community facilities, problems that the NSP does not address.

3 While phasing should be used to ensure early delivery of affordable housing, there should be consideration of any unintended consequences of phasing, such as the divisions created, mentioned above.

4. 'Housing requirements will be calculated in habitable rooms' – comment on the relative merits of using floorspace/both needed. Viability

2. Remove. There should be no 'fast-track' viability procedure. All proposed developments should be subject to viability assessment and review, for as long as this is the method for determining the levels of affordable housing. While introducing a 'fast-track' may be seen to incentivise higher levels of affordable housing it will further encourage developers to game the system. Alternatively, the threshold for the 'fast-track' should be raised to 50% affordable housing in line with the Mayor's strategic target and need.

Reasons

The note on affordable housing has been amended and moved into the reasons section of P1, the term affordable is not specific enough which is why we use the descriptive terms i.e social rent and intermediate housing. This is not intended to mean that all housing is affordable.

The viability of schemes will be tested through the submission of a viability assessment which will ensure the most viable amount of affordable housing is provided. The Council's priority is for social rented housing which is set out in Policy P1 and is also recognised in the Housing Strategy which seeks to achieve 11,000 council homes by 2043.

Phasing of development will not be permitted where it has the effect of circumventing affordable housing requirements.

A factbox has been included in Policy P1 which clarifies how habitable rooms will be calculated for affordable housing purposes.

The fast track route provides an incentive to developers to provide more affordable housing without having to undertake the viability negotiations. The fast track has been introduced due to the acute need of affordable housing of 2,077 homes per annum in the borough as identified in the SHMA 2019, therefore this figure is higher than the figure proposed in the Draft London Plan given the local need.

The factbox has been reinserted into the plan.

Para 2. Restore deleted sentence, in line with comment above.

Fact Box: Affordable housing products

Restore. We can see no reason for the complete removal of the Fact Box, which provides the necessary underpinning for P1.

Organisation: Southwark Law Centre
NSPPSV167

The policy should recognise that mixed tenure can create fragmented neighbourhoods if not designed and integrated carefully. The policy should seek to acknowledge that neighbours with different tenure types/property interests may have different priorities (e.g. parking spaces etc.).

The policy doesn't take account of what makes up a neighbourhood – and the way that “intermediate” housing, next to social is liable to change the nature of the neighbourhood.

We recognise these general concerns are difficult to address through planning policy alone, but in our view it is important they are acknowledged in this document. The policy as a whole should grapple with the challenges inherent in delivering integrated communities with mixed tenure, and prevent the horror of ‘poor doors’ scandals which can be the consequence of mixed tenure new developments, and the hierarchy of space which often results. This is partially addressed in policy P9, but we feel it should be mentioned/cross-reference here as well – because it is not just about individual design issues such as access to buildings: there are other examples such as different lifts for different tenure types, or restricted fob access for social rent tenants. The issue is sufficiently significant and wide-ranging that it warrants general comment in this policy. A proposed wording could be “different tenure types must receive the same treatment in all respects so far as the design, access and communal facilities of the development are concerned. Social rented tenants must not be excluded

Amended Policy SP2 encourages tenure integration and equality within and between new development in order to create the conditions for properly mixed and integrated communities, ensuring equity of esteem from street level, and to mitigate against stark visible difference and a sense of tenure segregation.

The note on affordable housing has been amended and moved into the reasons section of P1, the term affordable is not specific enough which is why we use the descriptive terms i.e social rent and intermediate housing. This is not intended to mean that all housing is affordable.

Phasing of development will not be permitted where it has the effect of circumventing affordable housing requirements or segregation.

Policy P1 requires the provision of 35% affordable housing in line with the London Plan. If this cannot be met, this will need to be evidenced in the viability appraisal. Developers will be encouraged to exceed the provision of 35% affordable housing where viable to boost the delivery of affordable housing. The fast track route provides an incentive to developers to provide more affordable housing without having to undertake the viability negotiations.

The fast track has been introduced due to the acute need of affordable

from benefits of a scheme from which other tenure types benefit.”

The “NB” note at the top should be removed as it doesn’t mean anything. The word ‘affordable’ cannot stand on its own without being quantified and defined in detail. Using it in this contradictory way is unhelpful to the rest of the policy and plan.

‘Percentage’ section:

Officers should remove “subject to viability” from line two of paragraph 1, under the ‘Percentage’ section. 35% should be the absolute minimum, without compromise. This must be made clear in this local plan.

Paragraph 3 of ‘Percentage’ – phasing should be careful not to create segregation.

‘Viability’ section:

There is a slight lack of consistency – the newly added paragraph 2, states that developments providing 40% a/h with policy compliant tenure mix can follow the fast track route. This seems to be suggesting that 40% is the target a/h level, whereas the earlier part of the policy (under the heading of ‘percentage’) states it is 35%. This discrepancy makes sense if it is an attempt by Southwark to ‘nudge’ affordable housing from 35% to 40%, by creating the incentive of the fast track route being available only at 40%. If that is the reason for it, this is a good thing, however we think it should/could be made clearer.

Furthermore, to the extent that 40% is the figure chosen, we suggest this should be increased to 50%, to incentivise development to provide significantly more than the minimum 35% affordable housing level.

‘Reasons’ section:

housing of 2,077 homes per annum in the borough as identified in the SHMA 2019, therefore this figure is higher than the figure proposed in the Draft London Plan given the local need.

Policy P1 requires the provision of a minimum of 35% affordable housing, subject to viability. Notwithstanding this, if a proposal provides 40% affordable housing or 60% in the Aylesbury Action Area the developer can follow the fast track route and would not be required to go through the viability process.

The reference to asking for viability assessments for all applications, not just unviable ones has been removed as the fast track route has been introduced and as a result some planning applications will not need to provide a viability assessment.

The factbox has been reinserted.

<p>Restore deletion in 'reasons' which states that they ask for assessments for all applications, not just unviable ones.</p> <p>Large amount of text has been deleted from the reasoning, with no replacement. We feel this makes it harder to scrutinise the detail and justification for planning applications. The text should be restored or replaced with something that serves a similar purpose.</p>	
<p>Individual NSPPSV357</p> <p>See previous comments. I have to say that asking residents the above questions is trickery - how can you expect the average resident to know if the document is legally compliant? Remove Kinglake and Alvey Estates from the AAAP</p>	<p>Noted. In line with legislation, this stage of public consultation asks respondents whether the Plan meets the tests of soundness in the National Planning Policy Framework, this includes whether the Plan has been prepared in accordance with legal and procedural requirements which is why this has been asked within this consultation.</p>
<p>Organisation: Lichfields on behalf of U and I Group NSPPSV358</p> <p>We note that the supporting text to draft Policy P1 has been amended to delete the affordable housing 'fact box' and include a new paragraph on the viability tested and fast track route.</p> <p>The fast track and viability tested routes were established by the Affordable Housing and Viability SPG (2017) and are incorporated into the emerging New London Plan (Policy H6). Both set a threshold of 35% affordable housing to meet the fast track route, with the New London Plan confirming (at Para. 4.6.4) that the 35% threshold will be reviewed in 2021 to determine whether the threshold should be increased.</p> <p>Draft Policy P1 nevertheless seeks to establish a higher 40% threshold to meet the fast track route and simply states that development proposals must both meet the affordable housing threshold and provide a policy compliant tenure</p>	<p>Policy P1 introduces the fast track approach which is set at 40% affordable housing requirement and 60% in the Aylesbury Area Action Plan area. Where 40% affordable housing or 60% in the Aylesbury Area Action Plan is to be provided with no grant subsidy and the policy compliant tenure split, the applicant can follow the fast track route. A viability assessment is not required for public scrutiny in this case. 35% affordable housing should be provided as 25% social rented homes and 10% as intermediate homes or as per table 2, the remainder can be social rented and/or intermediate homes.</p> <p>The fast track route provides an incentive for developers to push up their affordable housing provision as they can fast track their application. We have set a higher threshold than the Draft London Plan given our acute need to deliver affordable housing. Most of our planning applications</p>

mix to follow the fast track route. The minimum requirement for affordable housing is 35%. This policy approach is inconsistent with the emerging New London Plan, which sets a lower threshold (35%) and sets additional policy tests (Policy H6, C3 and C4) that must be achieved in order to meet the fast track route

As currently drafted, Policy P1 is clearly inconsistent with the emerging Draft London Plan. Whilst the 35% threshold in the London Plan is underpinned by viability testing, there appears to be no justification for the higher threshold proposed in Policy P1. There appears to be no evidence base to show that any higher figure is justified or deliverable as a result of more local circumstances or noting differentials between the southern or northern parts of the Borough. Accordingly, the policy is not justified and risks undermining the New Southwark Plan and efficient delivery of housing in the borough. Given the policy basis for the fast track and viability tested routes are due to be enshrined in the New London Plan, it is unnecessary to repeat London-wide strategic policy requirements in the New Southwark Plan. Accordingly, the proposed new paragraph on viability should be deleted. Should the Council insist that the Policy is repeated, then this should be aligned with the London Plan and refer to the 35% fast track route which is underpinned by viability testing.

Appendix 1: U+I Previous Representations (27 February 2018) will be sent separately via email and the comments should be read in conjunction with these previous representations.

We trust these representations alongside our previously submitted representations will be fully considered prior to submission of the draft NSP to the Secretary of State. Should you require any additional information, please contact X.

coming forward are meeting 35% affordable housing with the greatest providing 40.5% and therefore we want to ensure we can increase the provision further. If the fast track route is not being taken, the applicant has the option to follow the viability tested route.

The reason for the higher fast track threshold is due to the acute need of affordable housing of 2,077 homes per annum in the borough as identified in the SHMA 2019, therefore this figure is higher than the figure proposed in the Draft London Plan given the local need.

<p>Individual NSPPSV362</p> <p>No further comment applied</p>	<p>Noted.</p>
<p>Organisation: Coin Street Community Builders NSPPSV363</p> <p>It is important that homes are available to those who cannot afford the very high costs of homes for market sale and rent in North Southwark. We therefore strongly support Policy P1 which seeks to provide for both 'social rented' and 'intermediate' housing. There is a variety of housing that falls into this last category and we want to see it primarily allocated to those needed to support local services. LB Southwark has not yet published the results of its consultation on prioritisation of applicants for intermediate housing but CSCB would not wish such prioritisation to be restricted to those working for the local authority. There are a wide range of providers of public services and this should be reflected in the Council's policies.</p>	<p>Noted.</p>
<p>Organizations: DP9 on behalf of Southwark Homes Ltd NSPPSV364</p> <p>Paragraph 2 under the viability section of Policy P1 introduces new wording to the policy stating that developments which provide 40% affordable housing with a policy compliant tenure mix (a minimum of 25% social rented and a minimum of 10% intermediate housing) can follow the fast track route and will not be subject to a viability appraisal. A review will only be necessary if amendments are proposed to lower the affordable housing provision to less than 40% following the grant of planning permission.</p> <p>The supporting text does not provide any justification as to how the 40% threshold has been derived at and the most recent viability study undertaken as part of the Council's Local Plan evidence base (BNPP, November 2017) does not explore setting a 40% fast-track threshold. This new policy is therefore unsound as it has not been robustly justified and is not evidence-led. It is also not</p>	<p>Policy P1 introduces the fast track approach which is set at 40% affordable housing requirement and 60% in the Aylesbury Area Action Plan area. Where 40% affordable housing or 60% in the Aylesbury Area Action Plan is to be provided with no grant subsidy and the policy compliant tenure split, the applicant can follow the fast track route. A viability assessment is not required for public scrutiny in this case. 35% affordable housing should be provided as 25% social rented homes and 10% as intermediate homes or as per table 2, the remainder can be social rented and/or intermediate homes.</p> <p>The fast track route provides an incentive for developers to push up their affordable housing provision as they can fast track their application. We have set a higher threshold than the Draft London Plan given our acute</p>

consistent with regional policy, with the Mayor's Affordable Housing and Viability SPG setting a fast-track threshold of 35% affordable housing, without public subsidy and on land which is not public land.

We support the creation of affordable homes to rent that meet a mix of needs. However, restricting the affordable to lower income households will limit the ability of projects to deliver homes for keyworkers and other middle-income households. It is recommended that the mix of affordable includes a proportion of homes for rent between London Living Rent and rents affordable to households on incomes of £60,000, which is in conformity with the London Plan.

Part 4 of Policy P1 states that "housing requirements will be calculated in habitable rooms. Where affordable habitable rooms and market habitable rooms are not of equivalent size across the development affordable housing requirements will be calculated in floorspace". It is not clear how Southwark Council will determine "equivalence" and how this policy would be applied practically where some units have shared living/kitchen/dining which are by their very nature much larger rooms. We would suggest that the wording is amended to "where affordable habitable rooms and market habitable room sizes are significantly different..." Paragraph 2 under the viability section of Policy P1 introduces new wording to the policy stating that developments which provide 40% affordable housing with a policy compliant tenure mix (a minimum of 25% social rented and a minimum of 10% intermediate housing) can follow the fast track route and will not be subject to a viability appraisal. A review will only be necessary if amendments are proposed to lower the affordable housing provision to less than 40% following the grant of planning permission.

Organisation: Aylesbury Leaseholders Action Group
NSPPSV367

NSP P1 Social Rented and Intermediate Homes is not legal or sound as it does not comply with the London Plan on Estate Regeneration to increase the supply

need to deliver affordable housing. Most of our planning applications coming forward are meeting 35% affordable housing with the greatest providing 40.5% and therefore we want to ensure we can increase the provision further. If the fast track route is not being taken, the applicant has the option to follow the viability tested route.

The reason for the higher fast track threshold is due to the acute need of affordable housing of 2,077 homes per annum in the borough as identified in the SHMA 2019, therefore this figure is higher than the figure proposed in the Draft London Plan given the local need.

The policy does not restrict the affordable housing to lower incomes, it sets out a requirement for intermediate ownership housing as well, for households with incomes up to £90,000. We will accept London Living Rent for households with an income no greater than £60,000. Our shared ownership affordability thresholds are published annually on our website and vary depending on number of bedrooms. Also Amended Policy P4 sets out an affordable housing requirement for a proportion of homes to be delivered as London Living Rent equivalent.

A factbox has been included in Policy P1 which clarifies how habitable rooms will be calculated for affordable housing purposes.

Policy P3 does not allow the net loss of homes, only in exceptional circumstances. If estates need to be redeveloped, we will seek to increase

of affordable housing on an identical or equivalent basis with rents at levels based on that which has been lost.

NB All homes in Southwark should be affordable, we do not use the term affordable to describe any specific type or tenure of housing.

Affordable, when it is replacing old estate stock with new is clearly defined in the London Plan at point 50A.

For the above points it is not justified or positively prepared as there needed to be complete clarity of affordable housing when demolishing an estate and replacing its stock with new homes. There needs to be consultation about this, which there has not been.

I would like to speak at the Examination in Public.

London Plan

4.10.2 The aims of an estate regeneration project will typically fall into three broad categories. These are: •delivering safe and better-quality homes for local people; •increasing the overall supply of new and affordable homes; and •improving the quality of the local environment through a better public realm and provision of social infrastructure (e.g. schools, parks, or community centres).

4.10.3 In some cases, regeneration will include the loss and replacement of homes and it is important that any such scheme is delivered with existing and new residents and communities in mind. This is particularly pertinent for estate regeneration, and any proposals for such schemes should take account of the requirements of the Mayor's Good Practice Guide to Estate Regeneration (2018).

4.10.4 It is important to ensure that estate regeneration does not lead to the loss of affordable housing and that an uplift in affordable housing is delivered wherever possible. Therefore, all estate regeneration schemes must go through the Viability Tested Route to demonstrate they have maximised the delivery of any additional affordable housing. For the purposes of this policy, existing affordable housing floorspace includes both occupied and vacant floorspace regardless of the current condition of the stock.

the number of council homes provided as set out in the Council Plan commitments on page 12 (A Fairer Future - a place to belong).

Where viable, on council owned land a greater provision of 50% affordable housing will be provided. This commitment is set out on page 12 (A Fairer Future - a place to belong) of the Council Plan. We will continue our long-term homebuilding programme, delivering on our commitment to build 11,000 new council homes by 2043.

Within the Council Plan on page 12 (A Fairer Future - a place to belong) there is also a commitment to guarantee developments on council housing land have at least 50% council rented homes and ensure a right to return for council tenants and resident leaseholders so local people can stay in the borough they call home.

50A Affordable housing floorspace must be replaced on an identical basis where a tenant has a right to return. Where there is no right of return affordable housing must be replaced on an identical or equivalent basis. I.e. Social rented floorspace may be replaced with social rented floorspace or by general needs rented accommodation with rents at levels based on that which has been lost.

Organisation: JLL/Possfund Custodian Trust
NSPPSV371

We write on behalf of our client, Possfund Custodian Trustee Ltd (as the property holding vehicle for Royal Mail Pension Trustees Limited), to submit representations to the New Southwark Plan - Proposed Submission Version – Amended Policies which are provided below.

Our client

Possfund Custodian Trustee Ltd is the freehold owner of the Bricklayers Arms Distribution Centre, Mandela Way for Royal Mail Pension Trustees Limited. This site is proposed for allocation as part of ‘Site OKR3: Mandela Way in the emerging Old Kent Road Area Action Plan (“AAP”) for mixed use redevelopment to include employment (B use class), residential (C3 use class), primary school (D1 use class) development and a new park.

Concern is expressed that the proposed change to draft Policy P1 to set the threshold for affordable housing provision at 40% in order to benefit from the “fast Track Route” is internally inconsistent, conflicts with both the adopted and emerging London Plan, and is unjustified.

The draft policy identifies a policy compliant mix to comprise 25% social rented and a minimum of 10% intermediate housing, which equates to 35% affordable housing in total, with the “percentage” part of the policy identifying at criterion 1 the requirement for developments that create 11 or more homes to “provide a minimum 35% social rented and intermediate homes, as set out in Table 1, subject to viability”. It is therefore internally inconsistent for the “viability” part

Policy P1 introduces the fast track approach which is set at 40% affordable housing requirement and 60% in the Aylesbury Area Action Plan area. Where 40% affordable housing or 60% in the Aylesbury Area Action Plan is to be provided with no grant subsidy and the policy compliant tenure split, the applicant can follow the fast track route. A viability assessment is not required for public scrutiny in this case. 35% affordable housing should be provided as 25% social rented homes and 10% as intermediate homes or as per table 2, the remainder can be social rented and/or intermediate homes.

The fast track route provides an incentive for developers to push up their affordable housing provision as they can fast track their application. We have set a higher threshold than the Draft London Plan given our acute need to deliver affordable housing. Most of our planning applications coming forward are meeting 35% affordable housing with the greatest providing 40.5% and therefore we want to ensure we can increase the provision further. If the fast track route is not being taken, the applicant has the option to follow the viability tested route.

The reason for the higher fast track threshold is due to the acute need of affordable housing of 2,077 homes per annum in the borough as identified in the SHMA 2019, therefore this figure is higher than the figure proposed in the Draft London Plan given the local need.

of the same policy to set a threshold of 40% affordable housing to benefit from the Fast Track route.

Whilst the current London Plan does not define an affordable housing requirement specifically, the supplementary planning guidance to the London Plan, Homes For Londoners Affordable Housing And Viability Supplementary Planning Guidance (SPG) 2017 identifies (at paragraph 2.3) a 'threshold approach', "whereby schemes meeting or exceeding 35 per cent affordable housing without public subsidy (or 50 per cent where on public land, without grant) can follow a 'Fast Track Route', [which] means applicants are not required to submit viability information at the application stage".

This principle is carried forward in the draft London Plan at draft policy H6 – albeit with the provision that the 35 per cent threshold "will be reviewed in 2021".

Although there is some flexibility within the "Homes For Londoners Affordable Housing And Viability SPG" (identified at paragraph 2.7) for boroughs to continue to apply an existing adopted approach that delivers a higher average percentage of affordable housing (without public subsidy), Strategic Policy 6 (Homes for people on different incomes) of Southwark's Core Strategy requires "a minimum of 35% affordable housing units on developments with 10 or more units" (except within the Aylesbury Action Area core, where this requirement is 50%).

As well as conflicting with other parts of the same draft policy and the existing and emerging London Plan, there is no justification provided by LB of Southwark for why a 40% threshold is proposed – with no evidence of thorough viable testing to support such provision. Accordingly, whilst the identification of the fast track route within draft Policy P1 is welcomed this needs to be amended to refer to the correct policy-compliant threshold of 35% for the draft policy to be made sound.

Change sought

Policy P1: Social rented and intermediate homes (Amended policy)

...Development that provides 40 35% affordable housing with a policy compliant tenure mix (a minimum of 25% social rented and a minimum of 10% intermediate housing) can follow the fast track route and will not be subject to a

<p>viability appraisal. A review will only be necessary if amendments are proposed to lower the affordable housing provision</p>	
<p>Individual NSPPSV374</p> <p>The proposed amendment to introduce a 40% threshold for the Fast Track viability route would not be consistent with the Draft New London Plan, which provides for a 35% threshold, on the basis that at the time of adoption the Draft New London Plan will have become the strategic plan for London. Policy H6 of the Draft New London Plan states that the threshold for development schemes of the kind described in part A of the policy and which are not on public sector land or in a Strategic Industrial Location is 'a minimum of 35 per cent', which will be reviewed in 2021 and if appropriate increased through Supplementary Planning Guidance. No justification has been provided as to why a higher threshold level is justified in Southwark. Setting the threshold level at 40 per cent in Southwark would be premature and would be inconsistent with the Draft New London Plan, failing the legal requirement for the Plan as required by section 24(1)(b) of the Planning and Compulsory Purchase Act 2004.</p>	<p>The reason for the higher fast track threshold is due to the acute need of affordable housing of 2,077 homes per annum in the borough as identified in the SHMA 2019, therefore this figure is higher than the figure proposed in the Draft London Plan given the local need.</p>
<p>Individual NSPPSV375</p> <p>NSP P1 Social Rented and Intermediate Homes is not legal or sound as it does not comply with the London Plan on Estate Regeneration to increase the supply of affordable housing on an identical or equivalent basis with rents at levels based on that which has been lost.</p> <p>NB All homes in Southwark should be affordable, we do not use the term affordable to describe any specific type or tenure of housing.</p> <p>Affordable, when it is replacing old estate stock with new is clearly defined in the London Plan at point 50A.</p> <p>For the above points it is not justified or positively prepared as there needed to be complete clarity of affordable housing when demolishing an estate and</p>	<p>Policy P3 does not allow the net loss of homes, only in exceptional circumstances. If estates need to be redeveloped, we will seek to increase the number of council homes provided as set out in the Council Plan commitments on page 12 (A Fairer Future - a place to belong).</p> <p>Where viable, on council owned land a greater provision of 50% affordable housing will be provided. This commitment is set out on page 12 (A Fairer Future - a place to belong) of the Council Plan. We will continue our long-term homebuilding programme, delivering on our commitment to build 11,000 new council homes by 2043.</p>

replacing its stock with new homes. There needs to be consultation about this, which there has not been.

I would like to speak at the Examination in Public. London Plan

4.10.2 The aims of an estate regeneration project will typically fall into three broad categories. These are: •delivering safe and better-quality homes for local people; • increasing the overall supply of new and affordable homes; and • improving the quality of the local environment through a better public realm and provision of social infrastructure (e.g. schools, parks, or community centres).

4.10.3 In some cases, regeneration will include the loss and replacement of homes and it is important that any such scheme is delivered with existing and new residents and communities in mind. This is particularly pertinent for estate regeneration, and any proposals for such schemes should take account of the requirements of the Mayor's Good Practice Guide to Estate Regeneration (2018).

4.10.4 It is important to ensure that estate regeneration does not lead to the loss of affordable housing and that an uplift in affordable housing is delivered wherever possible. Therefore, all estate regeneration schemes must go through the Viability Tested Route to demonstrate they have maximised the delivery of any additional affordable housing. For the purposes of this policy, existing affordable housing floorspace includes both occupied and vacant floorspace regardless of the current condition of the stock.

50A Affordable housing floorspace must be replaced on an identical basis where a tenant has a right to return. Where there is no right of return affordable housing must be replaced on an identical or equivalent basis. I.e. Social rented floorspace may be replaced with social rented floorspace or by general needs rented accommodation with rents at levels based on that which has been lost.

Within the Council Plan on page 12 (A Fairer Future - a place to belong) there is also a commitment to guarantee developments on council housing land have at least 50% council rented homes and ensure a right to return for council tenants and resident leaseholders so local people can stay in the borough they call home.

Organisation: Lichfields, on behalf of Dulwich Hamlet Football Club Limited and Healey Development Solutions (Dulwich NSPPSV378)

Having reviewed the latest consultation, DHFC and Meadow are disappointed that previous comments have neither been addressed nor considered, specifically in relation to the proposed allocation (NSP38) around the football club, which, in blunt terms, will result in the demise of DHFC. We also consider that owing to the recent publication of the NPPF (2019) since the publication of the New Southwark Plan, and the fact that the current allocation for Champion Hill is a) fundamentally flawed and incapable of delivering the envisaged development and b) will not secure a future for DHFC either on this site or at all. In this regard, Policy NSP38 is unsound as it is not justified, effective, positively prepared or consistent with national policy (NPPF Para. 35).

For completeness, and as agreed with the Planning Policy team on 18/04/2019, we have outlined our justification below in full. Our representations, including Appendices (1-5) have also been sent to Planning Policy (planningpolicy@southwark.gov.uk) on 17th May.

Consultation on the New Southwark Plan (Proposed Submission Version: Amended Policies January 2019)

We write on behalf of our clients, Dulwich Hamlet Football Club Limited (DHFC), leaseholders of Champion Hill Stadium, the adjacent car park and artificial pitch, and Healey Development Solutions (Dulwich) Limited - the development manager appointed by Greendale Property Company Limited ("Greendale"), a wholly owned subsidiary of Meadow Partners (Meadow), in response to the above consultation seeking views on the proposed submission version of the New Southwark Plan (NSP). Greendale is the freeholder owner of Champion Hill Stadium and the adjacent car park.

Policy P1 introduces the fast track approach which is set at 40% affordable housing requirement and 60% in the Aylesbury Area Action Plan area. Where 40% affordable housing or 60% in the Aylesbury Area Action Plan is to be provided with no grant subsidy and the policy compliant tenure split, the applicant can follow the fast track route. A viability assessment is not required for public scrutiny in this case. 35% affordable housing should be provided as 25% social rented homes and 10% as intermediate homes or as per table 2, the remainder can be social rented and/or intermediate homes.

The fast track route provides an incentive for developers to push up their affordable housing provision as they can fast track their application. We have set a higher threshold than the Draft London Plan given our acute need to deliver affordable housing. Most of our planning applications coming forward are meeting 35% affordable housing with the greatest providing 40.5% and therefore we want to ensure we can increase the provision further. If the fast track route is not being taken, the applicant has the option to follow the viability tested route.

The reason for the higher fast track threshold is due to the acute need of affordable housing of 2,077 homes per annum in the borough as identified in the SHMA 2019, therefore this figure is higher than the figure proposed in the Draft London Plan given the local need.

Meadow has previously submitted representations to the draft New Southwark Plan (in April and September 2017 and in February 2018) and has since met with officers at the Council and Greater London Authority (GLA) in addition to representatives from DHFC in respect of the emerging proposals to redevelop the site to provide a new community stadium for DHFC, leisure facility, housing and public realm. This has included a review by the Southwark Design Review Panel and a Design Review Panel with Paul Finch.

As required by the National Planning Policy Framework (NPPF), local plans should be aspirational but, most importantly, deliverable. They should be the product of engagement between local stakeholders and should set out clearly written and unambiguous policies so “it is evident how the decision maker should react to development proposals” (Para. 16).

In order to significantly boost the supply of homes, plans should set out a clear strategy for accommodating objectively assessed needs, in a way that “makes as much use as possible” of previously-developed land (Para. 117). The NPPF requires that planning policies ensure development optimises the potential of sites and are sympathetic to local character and history whilst not preventing or discouraging appropriate innovation or change (Para. 127).

Having reviewed the latest consultation, DHFC and Meadow are disappointed that previous comments have neither been addressed nor considered, specifically in relation to the proposed allocation around the football club, which, in blunt terms, will result in the demise of DHFC (the reasons for this are set out in full below).

Whilst the current consultation only seeks views on amended policies, we also outline comments on unamended policies (principally site allocation NSP38) as a new version of the NPPF (2019) has been adopted since the previous consultation on the NSP; and the fact that the current allocation for Champion Hill is a) fundamentally flawed and incapable of delivering the envisaged

development and b) will not secure a future for DHFC either on this site or at all. In this regard, Policy NSP38 is unsound as it is not justified, effective, positively prepared or consistent with national policy (NPPF Para. 35).

For the avoidance of doubt, these comments should be read alongside Meadow's previous comments submitted in February 2018. These are re-provided at Appendix 3 for completeness.

Background and Context

Champion Hill Stadium

Constructed in the early 1990s along with the adjacent Sainsbury's superstore (which funded the relocation), the Champion Hill Stadium is home to DHFC.

Prior to the re-construction of the Champion Hill Stadium, DHFC's previous ground was also located on the same plot with a training pitch on the site now occupied by Sainsbury's to the north. This previous stadium had been home to DHFC for some 60 years (between 1931 and 1991). This stadium was demolished as it was in a poor state of repair and did not meet the safety standards of the time. Construction of the new (current) stadium was secured in conjunction with the redevelopment of Sainsbury's (LB Southwark ref. TP2134-3/AH). Before this, the Champion Hill Cricket and Lawn Tennis Ground was located on the site of the current stadium and Sainsbury's foodstore, with the Dulwich Hamlet Athletic Ground located on the Green Dale artificial pitch.

The existing stadium is located to the west of St. Francis Park and to the south of Sainsbury's supermarket. The stadium comprises a grassed pitch, main stand (the Tommy Jover stand) and club house and a smaller covered stand to the south, with a 3,000 spectator capacity. The club house includes a gym, boxing gym, squash courts and small function rooms, which are available for public use. A small car-park to the east provides around 50 car parking spaces and is partly occupied by a hand car wash.

DHFC lease the stadium, pitch and adjacent car park from Greendale and lease the Green Dale artificial pitch from LB Southwark.

Whilst the stadium building was built to meet prevailing standards, the building design is of its time and is now reaching the end of its economic life. Windows are limited to the southern elevation and the internal layout is poorly designed, providing compromised spaces and poor access via a rabbit warren of inefficient corridors and stairs – limiting opportunities for use by DHFC. Accessibility standards are also questionable in light of updated stadium and leisure facility standards, which have moved on since the stadium was constructed. In essence, the design, finish and layout are no longer fit-for-purpose, and there is no real return as it is beyond economic repair. The building and engineering services would have been designed with a 25-year life-span and that has now been reached. A new stadium is the only viable option to secure DHFC's future – further details are provided below and within the accompanying appendices.

Although the permission granted in 1991 sought to secure a permanent home for DHFC, the poor condition of the stadium and the lack of appropriate facilities has left DHFC's future in jeopardy once again. With regard to use of the facility and pitch, due to its limited drainage and inability to withstand multiple use, the grassed pitch is used only for up to 30 first team men's games per season, leaving it inaccessible during the football season. The ground staff have also confirmed that the pitch could additionally sustain approximately 15 games a year (intended for use by a DHFC women's team). The durability of the grass pitch therefore limits more intensive use by DHFC and/or the local community and in doing so prevents the use of the pitch for a DHFC women's second team, youth academy matches or a ground share to support another local team.

The players train off-site as they cannot use the adjacent artificial pitch on Green Dale in its current condition, the poor state of which has been recognised by the Council through signage that reads "in disrepair, use at own risk". The gym facilities are lacking and there are no other suitable pitches (grass or

artificial) in Dulwich that DHFC could use. During the off season, the pitch is not used by either DHFC or other parties. The pitch itself (a designated 'Other Open Space') is therefore of no real wider recreational and amenity value as local schools and community groups, for example, cannot make use of it.

Overall, a) the stadium building is not fit-for-purpose and is beyond economic repair and b) the football pitch offers no amenity space for the local community, which is unable to use the ground.

Surrounding Area

The surrounding area is mixed in character with: a large Sainsbury's store and surface level car park to the north; St. Francis Park to the east; and Green Dale artificial pitch and playing fields to the west, set within Green Dales (Metropolitan Open Land). To the south, beyond Abbotswood Road and Burrow Road, are residential properties. This private road and footpath currently provide a link between St. Francis Park and Green Dales, albeit the quality of the environment is very poor and uninviting with accessibility issues.

East Dulwich Rail Station is located approximately 300 metres to the southeast and Denmark Hill Station is located approximately 1km to the north. The site has a good level of accessibility to public transport with a PTAL of 4 (as confirmed by TfL).

The Greendale Management Plan (GMP) (2017), produced by LUC for the LB Southwark (as landowner of Green Dale), aims to ensure safe public access and ecological enhancements to the surrounding areas of open space (known as Green Dale) to the west of Champion Hill. The management plan confirms that the artificial pitch to the west of the stadium was leased to DHFC in July 1994 and originally intended to be used as a practice pitch for DHFC. Whilst it may have been originally intended for this function it has not been used by DHFC for training purposes for more than five years and has now fallen into a state of disrepair. This is acknowledged within the GMP, which confirms that some

defects have made the pitch dangerous to play on which explains the warning signs around the pitch. With the aim of restoring the pitch to beneficial use, the GMP outlines a number of options for the future of the pitch, including replacement to provide a new 3G pitch which can be more intensively used.

The Need for a New Stadium

Notwithstanding DHFC's financial position, which will become untenable if the status quo were to remain, the current facilities inhibit the future promotion and expansion of DHFC.

As demonstrated by a recent survey of the stadium, the current stadium building is not sound and requires substantial maintenance and repair works. Advice from Tuffin Ferraby Taylor is that the cost to bring the existing facilities back into repair will be over £2 million. This cost does not include any costs that would be required to upgrade the facilities from Grade B to Grade A (which are estimated to be similar) or replacement of the grass pitch with a 3G pitch.

Whilst the condition of the stadium just meets current Football Association (FA) minimum requirements for the National League South, the state of disrepair, together with other constraints on the site, is such that it is incapable of being upgraded to provide the modern fit-for-purpose stadium as required to meet FA requirements for the league above (the National League) – these include increasing the capacity of the stadium from 3,000 to 4,000 spectators, better aligning with average attendances since DHFC's return to Champion Hill in 2018 (2,800 spectators per game – see Appendix 2).

In order to meet current FA requirements for Category A and enable progression to the National League, DHFC must also provide for specific facilities for players, officials and the press, such as:

- separate dressing rooms of at least 18sq.m (excluding shower and toilet areas), increased to 30sq.m for clubs in the Football League;
- facilities for male and female match day officials, including dressing rooms, toilet and shower facilities;

- ability to segregate home and visiting spectators, with segregated areas having exclusive exits, toilet and catering facilities;
- car parking facilities for directors and match officials and safe parking arrangements for visiting team's coach;
- press and media facilities with a clear view of the field of play;
- separate Directors box benefitting from a prime position in the main stand;
- medical treatment room for players and a first aid room for spectators;
- a minimum capacity for 4,000 spectators including 500 seats under cover; and
- a minimum of 8 spectator entrances.

A comparison of Category A and Category B FA regulations and a copy of the Category A regulations (July 2018) are provided at Appendix 5 for ease of reference. In addition, the FA Guide to 3G Football Turf Pitch Design Principles and Layouts (2013) recommends that pitches should be orientated approximately north/south.

Many of these required facilities are lacking in the current stadium. Without such provision, DHFC is confined to its current position in the 6th tier of the football pyramid.

DHFC is one of the oldest league sides in London and has been part of the Dulwich community for over 125 years, with Champion Hill being DHFC's home for the majority of that period. DHFC's long-term survival, plus potential for growth and promotion, is therefore crucial to the identity and sporting heritage of the local community – as evidenced by a strong fan base.

Since its return to Champion Hill from a nine-month hiatus, DHFC is in a better financial position and will remain so whilst games are played at Champion Hill, without interruption, and achieve an average attendance of 2,000 or more. Despite this and, owing to the high costs of maintenance and repair together with the lack of an alternative source of income, the stadium is a liability and does not provide any meaningful asset for DHFC. Unforeseen repairs place an additional financial burden on the Club, with over £100,000 already being spent

on repairs, and ensuring health and safety and FA requirements since returning to Champion Hill. Since returning, DHFC has had to deal with numerous unforeseen events caused by the condition of the current stadium and has needed to rely on funds from Meadow Partners and fans to meet those costs. The Club cannot afford to cover future costs through match-day and bar revenues on an ongoing basis, such that the status quo is only a short-term option and not sustainable in either the medium or long term.

Whilst over £100,000 has already been spent on repairs, and ensuring health and safety and FA requirements, this does not address the underlying structural flaws of the stadium or enable DHFC to compete at a higher level. An estimate of over £340,000 for a 10-year planned and preventative maintenance report has been provided by Tuffin Ferraby Taylor. This estimate relates to maintenance of all building services to ensure good building management and compliance with statutory obligations. It does not include day to day repairs, maintenance, cleaning and general operation costs.

That initial investment was needed to secure the Grade B status required to allow DHFC to play at its current level in the National League South –but no higher. Grade A status (see Appendix 5) can only be attained through major investment and construction, something DHFC cannot do alone. It is also important to remember that due to the constraints of the current site there is not, in any event, sufficient space to allow works to be carried out to meet Grade A status.

In addition to meeting FA requirements, a new pitch and stadium are required to provide a long term and sustainable financial basis through being a sufficient source of income for DHFC. A new 3G pitch and community stadium/leisure facility will (as explained below) enable DHFC to use the pitch more intensively and generate a new secure source of income.

It is therefore essential, that if DHFC is to remain viable, play at Champion Hill and with the ability to be promoted, a new stadium be constructed. A stadium

which will also provide facilities to generate income which will further safeguard and sustain DHFC's future.

Club Philosophy, Objectives and Redevelopment/Relocation Options

DHFC is a popular community club. Whilst improved facilities will directly benefit DHFC, that secure future for the Club will have far reaching and wider benefits for the local community, including underpinning the important work DHFC does with the local community and charities. Led by a newly appointed DHFC Community Officer, this work includes:

- charity days where the stadium is given over to local charities for collections and advertising;
- hosting local education groups through Aspire's delivery of their educational and sporting programme to local boys aged 16-18;
- engaging with local schools and clubs with the longer-term aim of improving the sports grounds adjacent to Green Dale;
- free entrance (over 100 per game) and mascot opportunities (11 per game) for local school children and members of local sporting clubs; and
- creation of DHFC women's team for the start of the 2019/20 season.

In the four months of games back at Champion Hill DHFC have supported the following local schools, charities and community groups:

Charities (Fundraising over £7,000)

- Guy's and St Thomas (Bladder Cancer) – London Marathon Runner
- Linked Age
- Mayor of Southwark's Common Good Trust
- Pancreatic Cancer UK
- Redthread
- Southwark Day Centre for Asylum Seekers and Refugees
- Stephen Lawrence Foundation
- The Southwark Young Pilgrims

Charities (Awareness)

- Football Welcomes (Amnesty International)
- Silverfit (including walking football demo)

Schools (Cobourg Cup Entrants)

- Bessemer Grange Primary School
- Camelot Primary School
- Cobourg Primary School
- Goodrich Community Primary School
- Goose Green Primary School
- Heber Primary School
- Judith Kerr Primary School
- Robert Browning Primary School
- St Joseph's Camberwell Junior School

Schools (Free Tickets)

- Beecroft Garden Primary School
- Bessemer Grange Primary School
- Dulwich Village Infants School
- Lyndhurst Primary School
- St Anthony's School
- The Belham Primary School
- The Charter School East Dulwich

Other Free Tickets

- Lewisham Tigers FC
- Peckham Town FC (Girls Utd – International Women's Day)
- Raffle Prizes x20 (local schools)

- Southwark Beat the Street
- St Christopher Fellowship
- Wanderers FC

The Club's aspirations for the first full season back at Champion Hill will also extend to partnering with local state secondary schools to provide free sports provision through access to grounds, facilities and coaching staff. DHFC is also expanding its youth academy in two phases, firstly to 12-18 year olds, then to 8-12 year olds and also to leverage the new women's team to expand the youth engagement to girls as well as boys.

The Club's philosophy thereby supports charity, educational, health and community initiatives in the local area, tying in well with the vision for East Dulwich set out in the NSP and its associated Integrated Impact Assessment. The latter notes that childhood obesity rates in Southwark remain among the worst in London with nearly half of local adults saying they do no sport or active recreational activities (Para. 1.2.49).

Building on the DHFC's objectives and philosophy and underpinning the emerging redevelopment proposals for the site are the Club's core objectives. These include:

- 1 securing the long-term future of the Club;
- 2 supporting the local community;
- 3 retaining the current average attendances;
- 4 keeping the Club profitable and financially well-managed;
- 5 avoid placing debt on the football club; and
- 6 increasing the level of control over decisions that impact the football club.

Various relocation and redevelopment options have been considered by DHFC to deliver these objectives, including:

- seeking a permanent ground sharing arrangement away from Champion Hill;

- redevelopment of the Champion Hill stadium in its current location;
- acquisition of a different site and construct a new stadium; and
- redevelopment of the Champion Hill site in partnership with a developer.

We outline each option in turn below:

Seek a Permanent Ground Sharing Arrangement Away from Champion Hill

Champion Hill is the only stadium in Southwark with the 500 covered seats required to play at this level and therefore a ground share with another club would, to retain the Club's current National League status, mean relocating out of Southwark.

Based on the evidence of its recent tenure at Imperial Fields, DHFC would have to accept that the revenue generated would not sustain the Club at its current league level or even the level below – resetting expectations that DHFC would be playing football two or three steps lower than today.

Whilst debate amongst fans over whether reaching the football league would be a positive step for the Club, it is clear from recent public meetings that there is no support for a smaller fan-owned and funded club which could be based somewhere else in Southwark and that does not require the facilities and stadium requirements of a club at this level, as this would be at the expense of the work the Club does with the community and would undo the growth achieved in the past decade.

This option would also be dependent on a third party agreeing to the relocation of the Club which is outside of the Club's control.

At the end of the day, DHFC is a community club that belongs in Dulwich and ideally on Champion Hill where it has always played. Moving away, whilst both undesirable as well unviable, would kill the heart and soul of DHFC and in essence leave the stadium and facilities even more redundant and subject to

further disrepair.

This option would fail to meet DHFC objectives No. 1-5.

Redevelopment of the Champion Hill Stadium in its Current Location (as per draft Local Plan Policy Allocation NSP 38)

Redevelopment to provide a pitch and stadium that meets Grade A requirements is neither feasible nor viable within the existing confines of the site. This is demonstrated by the plans provided at Appendix 4.

These show that provision of a stadium that meets both the requirements of the Club whilst re-providing the existing other sporting and community facilities within the building cannot be accommodated within the draft allocation boundary or existing site, without falling onto land outside the Club's control or compromise existing walking and cycling routes east to west.

Even if it were physically possible, such redevelopment would not be viable given the anticipated cost of upgrading the facilities to Grade A standard (over £2.6m) and the limited opportunities for residential development on the remaining part of the site (i.e. the existing car park).

As set out above, DHFC must deliver a new stand and pitch in order both to survive and to secure its future. As a business, DHFC cannot deliver the level of investment required to build a new stadium. Investment is required from a third party and this is in part acknowledged by emerging policy NSP38, which notes that some housing should be delivered on the site. However, the amount of land available for provision of housing on the existing site does not allow for a sufficient number of policy-compliant homes to be built in order to justify any investment and delivery of the new stadium facility.

Redevelopment on the existing pitch would also necessitate a lengthy departure away from Champion Hill (for approximately two years) whilst the new stadium

is constructed. Notwithstanding these financial and physical constraints, this is not a viable option for DHFC given it would sever ties with the local community it has called home for over 125 years. If the Club were to move away for even a short period of time again it is likely that the business would fail and DHFC would cease to exist within less than a season of relocating from Champion Hill. DHFC's recent tenure at Tooting and Mitcham saw average attendances collapse from over 2,000 spectators to fewer than 1,000 per home game (see Appendix 2).

This option would fail to meet DHFC objectives No. 1, 3, 4 and 5.

Acquire a Different Site and Construct a New Stadium

This option would only be feasible if the location was in Dulwich; otherwise, this would represent a permanent relocation away from the local community, breaking ties with that community and core fan base.

This option would also be dependent on identifying a site, a third party being willing to sell the site and on planning permission being granted – all of which are outside of the Club's control.

The Club needs to secure a position now as it cannot wait any longer for an alternative option to come forward. It would also see the departure of the Club from its spiritual home of Champion Hill, the last thing DHFC and its fans want to experience. In any event, DHFC is unable to finance a relocation to an alternative site without handing ownership of the Club to a wealthy benefactor and placing the debt on the football club.

Local research and discussions with LB Southwark have not identified any viable sites to which the Club could move and remain within the community.

This option would fail to meet DHFC objectives No. 2, 4 and 5.

Redevelopment of the Champion Hill Site in Partnership with a Developer

As the owners of DHFC's Champion Hill stadium, Meadow aims to deliver the Club's objectives by re-providing the stadium to meet Grade A standard and providing ancillary facilities to support a sustainable financial basis for the future.

This would be achieved by also delivering a viable quantum of housing on the site.

To achieve the necessary quantum of development and a fit-for-purpose stadium, it is necessary to utilise the adjacent artificial pitch.

This adjacent pitch falls within MOL and it is in a state of significant disrepair, with existing signage warning that the artificial pitch is "in disrepair, use at own risk". Development to provide a replacement 3G pitch which could be used by both DHFC and the local community would meet the aims of the GMP.

It would also align with the FA design guide on 3G pitches, which states that pitches should be orientated north/south (rather than east/west – as for the existing pitch), and comply with the NPPF (Para. 145), which confirms that "appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation" are not inappropriate within MOL as long as facilities preserve openness and do not conflict with the purposes of including land within MOL.

The strategy of providing a new pitch adjacent to the existing pitch:

- minimises disruption to the Club (by allowing DHFC to play at the current stadium until such time that the new pitch is available for use); and
- maximises the benefits of the proposal by facilitating the replacement of a dilapidated pitch and creation of new amenity and play spaces for use by the local community.

It also means the Club will have a continued presence at Champion Hill.

Provision of new housing will fund the provision of the new stadium, thereby also unlocking the associated community and leisure benefits of the proposals. It also delivers wider, and much needed, community health and well-being benefits including by providing a new multi-use games area (MUGA) and children's play space – helping facilitate more active lifestyles and tackle prevailing high levels of childhood obesity in the borough.

The only way this package of benefits can be delivered is through reorganising the site through the comprehensive mixed-use development of the existing stadium and adjacent pitch. This is required to provide a new sporting and leisure facility and vital source of income that secures the long-term future of DHFC at Champion Hill.

To this end, Meadow is in advanced discussions with DHFC in respect of granting a 125-year lease of the stadium to DHFC at a peppercorn rent.

Meadow has been engaged with LB Southwark during progression of the NSP and has submitted representations to earlier stages of the consultation. These representations have sought to shape the allocation of the site in a way that is deliverable and secures the Club's long-term future at Champion Hill by providing a sustainable source of income.

DHFC considers that this option is the only one that delivers on the Club's six core objectives outlined above and is the only option available given the financial position of the Club.

Existing Planning Designations

Along with the London Plan, the Southwark Core Strategy (2011) and Southwark Unitary Development Plan (UDP) (2007, as saved in 2013) form the local development plan documents relevant to the site. Since its adoption in 2007,

over ten years ago, a number of policies within the Southwark UDP plan have been superseded by the Core Strategy.

The football pitch itself is currently designated as 'Other Open Space' (OOS). To the east of the stadium, across Abbotswood Road, St. Francis Park is also designated as OOS.

To the west of the stadium, the Green Dale artificial pitch and playing fields are designated as 'Metropolitan Open Land' (MOL). As noted above, the Green Dale artificial pitch is of poor quality forming an area of the MOL. The pitch is in a state of disrepair and has not been used by DHFC for a number of years. Six poor quality floodlights are located around the perimeter of the pitch, whilst an area of hardstanding runs along one corner. The pitch is clearly distinguishable from the remainder of the MOL, forming an area of previously developed land and providing an outdoor sports pitch whilst nonetheless preserving the openness of the MOL given the absence of buildings on the MOL.

The NPPF (Para. 145) confirms that "appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation" are not inappropriate within MOL as long as the facilities preserve openness and do not conflict with the purposes of including land within MOL. This policy basis aligns with the emerging proposals for the site, which proposes the stadium building outside of the MOL designation.

The stadium and its surrounding land are not allocated for redevelopment in the existing Local Plan.

Figure 1.1. Aerial image of site and surrounding area (Google Earth, 2018)
[see Figure in Representations sent to planning.policy@southwark.gov.uk]

Realising the Potential at Champion Hill and Providing a Deliverable Site Allocation

The overarching aim of the NPPF is to deliver sustainable development. This is promoted by encouraging the optimisation of development sites, particularly under-utilised land and buildings where sites can be used more effectively (Para. 118). Releasing redevelopment potential through mixed-use development is acknowledged to deliver multiple benefits and is supported at all levels of planning policy.

In the promotion of healthy and safe communities, the NPPF (Para. 92) requires that planning policies provide for social and recreational facilities and community needs through ensuring “an integrated approach to considering the location of housing, economic uses and facilities and services”.

As explained above, the Champion Hill stadium and the adjacent artificial pitch are not fit-for-purpose and are poorly utilised by the local community. As under-utilised sites close to East Dulwich town centre and easily accessible by the local community, the sites represent a key sustainable redevelopment opportunity to deliver housing together with multiple and wide-ranging social, community, health and environmental benefits – whilst also securing the future of DHFC.

This opportunity must be embraced through the NSP if the redevelopment potential and the vision for East Dulwich are to be realised (Policy AV.07). This vision includes delivering multiple social, environmental and economic benefits, including by: delivering as many homes as possible of all tenures; meeting needs for community facilities; enabling improved access to nature and recreation on the Green Dale open space; and providing a new stadium for DHFC (AV.07.02) which can offer the wider community quantitative and qualitative improved access to recreation and outdoor space. Combining the Champion Hill site with the adjacent artificial pitch can deliver on these objectives as well as the objectives outlined in the GMP. It would also help to deliver better health outcomes by providing a wider range of opportunities for recreation.

Whilst Meadow or DHFC did not previously comment on this policy, they note

that it has been amended to delete the affordable housing ‘fact box’ and include a new paragraph on the viability tested and fast track route.

The fast track and viability tested routes were established by the Affordable Housing and Viability SPG (2017) and are incorporated into the emerging New London Plan (Policy H6). Both set a threshold of 35% affordable housing to meet the fast track route, with the New London Plan confirming (at Para. 4.6.4) that the 35% threshold will be reviewed in 2021 to determine whether the threshold should be increased.

Draft Policy P1 seeks to establish a higher 40% threshold to meet the fast track route and simply states that development proposals must both meet the affordable housing threshold and provide a policy compliant tenure mix to follow the fast track route. The minimum requirement for affordable housing is 35%. This policy approach is inconsistent with the emerging New London Plan, which sets a lower threshold (35%) and sets additional policy tests (Policy H6, C3 and C4) that must be achieved in order to meet the fast track route.

As currently drafted, Policy P1 is inconsistent with the emerging Draft London Plan. Whilst the 35% threshold in the London Plan is underpinned by viability testing, there appears to be no justification for the higher threshold proposed in Policy P1. Accordingly, the policy is not justified and risks undermining the New Southwark Plan.

Given the policy basis for the fast track and viability tested routes are due to be enshrined in the New London Plan, it is unnecessary to repeat London-wide strategic policy requirements in the New Southwark Plan. Accordingly, the proposed new paragraph on viability should be deleted. The policy should be amended to delete paragraph No. 2 of the viability section:

“Development that provides 40% affordable housing with a policy compliant tenure mix (a minimum of 25% social rented and a minimum of 10% intermediate housing) can follow the fast track route and will not be subject to a

<p>viability appraisal. A review will only be necessary if amendments are proposed to lower the affordable housing provision to less than 40% following the grant of planning permission.”</p>	
<p>Organisation: Alvey TRA NSPPSV379</p> <p>There are no where near enough socially rented homes in the plan.</p>	<p>Policy P1 requires the provision of 35% affordable housing in line with the London Plan. If this cannot be met, this will need to be evidenced in the viability appraisal. Developers will be encouraged to exceed the provision of 35% affordable housing where viable to boost the delivery of affordable housing.</p>
<p>Organisation: Liam Hennessy Architects NSPPSV380</p> <p>The first part of this document states “Amended Policy NB All homes in Southwark should be affordable, we do not use the term affordable to describe any specific type or tenure of housing.” Southwark Council Planners are paid to present Policies and proposals that are positively prepared, that are justified, and that are effective. I am not paid to present Policies and proposals that are positively prepared, that are justified, and that are effective. But an outline of how ‘Policy P1 social rented and intermediate homes’ could be made Sound would be for</p> <ol style="list-style-type: none"> 1. Current Southwark Planners should resign, so that competent people who are capable of doing the job can take their place: Planners who know the difference between urban planning and urban vandalism; Planners who are capable of writing honest, truthful, and complete reports for Planning Committees and not Reports clouded with deceit; and Planners who know the difference between urban planning and greed. 2. Planners to avoid writing deceitful reports such as the 111 page Officer’s Report on the Aylesbury so-called regeneration which never once mentions the 	<p>Noted.</p> <p>The note on affordable housing has been amended and moved into the reasons section of P1, the term affordable is not specific enough which is why we use the descriptive terms i.e social rent and intermediate housing. This is not intended to mean that all housing is affordable.</p> <p>Aylesbury Area Action Plan sets out the affordable housing requirements for new homes within the Action Area, this is reflected in the New Southwark Plan.</p> <p>Where viable, on council owned land a greater provision of 50% affordable housing will be provided. This commitment is set out on page 12 (A Fairer Future - a place to belong) of the Council Plan. We will continue our long-term homebuilding programme, delivering on our commitment to build 11,000 new council homes by 2043.</p> <p>Within the Council Plan on page 12 (A Fairer Future - a place to belong)</p>

permanent loss of 778 homes for social rent that the scheme is based on. The figure is illustrated in a Table of figures, but it is never pointed out or explained in the text to people such as Councillors on the Planning Committee who are not trained to read Table of figures, so that they can appreciate that the Aylesbury regeneration proposals represent one of the greatest losses of social housing – homes for social rent – in the history of the United Kingdom.

3. Planners to learn what ‘affordable’ means, and to learn that stating that “The objective of delivering 50% affordable housing should be met” while at the same time stating that “All homes in Southwark should be affordable” highlights the current Planners incompetence. The honourable thing to do would be to resign.

In the proposed Aylesbury Area Vision AV.x.3 Growth opportunities in the Aylesbury Area is stated: “The objective of delivering 50% affordable housing should be met”.

“50% affordable housing” means, by definition, 50% unaffordable housing. 50% unaffordable housing can’t, by definition, comply with the claim that “NB All homes in Southwark should be affordable.”

The two are necessarily incompatible.

The proposed Policy ‘P1 social rented and intermediate homes’ is therefore not properly prepared, it is not justified, and it is not effective.

For the people of Southwark, 100% affordable housing would be by far the better choice.

Building unaffordable housing is, by definition, a very bad idea.

“Housing requirements are calculated in habitable rooms”.

The 111 page Officer’s Report on the Aylesbury so-called regeneration never once mentions the permanent loss of 778 homes for social rent that the scheme is based on. The figure is illustrated in a Table of figures, but it is never pointed out or explained in the text to people such as Councillors on the Planning Committee who are not trained to read Table of figures, so that they can appreciate that the Aylesbury regeneration proposals represent one of the greatest losses of social housing – homes for social rent – in any single

there is also a commitment to guarantee developments on council housing land have at least 50% council rented homes and ensure a right to return for council tenants and resident leaseholders so local people can stay in the borough they call home.

regeneration scheme, in the history of the United Kingdom. Calculations can be made in habitable rooms, but that should not be used to hide what is happening with units. Southwark Council's Housing Waiting List uses units, not habitable rooms, so Councillors on the Planning Committee should be presented with clear and unambiguous figures in units as well as habitable rooms. Policy P1 therefore has not been properly prepared; it is not justified, and it is not effective.

Organistaion: Tetlow King Planning Ltd on behalf of Rentplus UK Ltd
NSPPSV386

We represent Rentplus UK Ltd, an innovative company providing affordable rent to buy housing for hard-working people aspiring to home ownership with an accessible route to achieve their dream through the rent - save - own model, renting at an affordable rent and a gifted 10% deposit upon purchase.

Each scheme delivered by Rentplus offers a unique, affordable route to home ownership through affordable rented housing, with rent set at the lower of 80% market rate (affordable rent) or LHA, including any service charge, with a planned route to ownership at 5, 10, 15 or 20 years after delivery. As demonstrated by the schemes already delivered across England, the affordable rented period provides local families with security of tenure, with management and maintenance by a local partner Housing Association and the opportunity to save towards purchase. Support is offered to help save for the mortgage deposit, and the gifted deposit provided at the point of sale assists households with purchase.

The Council is well aware of the difficulties local households have in saving for home ownership, and the aspirations of many within existing affordable rented homes to purchase; it is these who benefit from access to affordable rent to buy. The Rentplus model also offers the opportunity for the Council and local Housing Associations to diversify the local housing offer without recourse to public subsidy, as Rentplus is fully privately funded and requires no additional upfront capital expenditure by HAs to deliver. The model helps to reduce the

The requirement for affordable housing is set out in Policy P1; this sets a requirement of a minimum of 10% intermediate housing. The draft London Plan uses the terms low cost rented homes or intermediate products. Reference is not made to affordable rent in Policy P1 as we require the delivery of social rent given the acute need identified in Southwark.

In terms of intermediate housing, we accept the provision of a range of intermediate housing products.

The Viability Study 2017 assesses the provision of social rent and London affordable rent and intermediate housing (shared ownership and London Living Rent) at both Southwark income thresholds and the GLA's income thresholds.

number of families on the local housing waiting list whilst also helping those already in affordable housing but who can afford to move on through rent to buy, freeing up those homes for others in need.

It is admirable that the Council aspires for all homes in Southwark to 'be affordable', but the proposed amendments to Policy P1 fail to properly reflect or be consistent with the planning definitions of affordable housing as set out in the revised NPPF (2019). Plans should be "prepared positively, in a way that is aspirational but deliverable", and contain policies that are "clearly written and unambiguous, so it is evident how a decision maker should react to development proposals" (paragraphs 16b and d).

Applicants must be guided by a clear set of policies which indicate how development proposals are to be determined. Effectively ignoring the use of affordable rent, and referring to a now-defunct term for affordable housing for sale places the Council and applicants in the difficult position of being unable to determine such applications in accordance with the Plan, even where those proposals will meet identified local needs.

The definition of affordable housing set out in the Framework is very clear, setting out four clear categories of housing that are to be considered 'affordable' for the purposes of plan- and decision-making. The Framework does not consider social rented housing to be the only form of rent permissible to meet local housing needs, but extends to affordable rent and rent to buy. The revised Framework also removed all but one reference to 'intermediate', this being confined only to the period of rent for rent to buy housing. We ask that the reference to intermediate housing is deleted and replaced with other affordable routes to home ownership to ensure proposals are properly assessed against the national definition of affordable housing and local evidence of housing need. This will ensure the Council can be responsive in each case to proposals that seek to meet the range of housing needs evident across Southwark, including those needs best met by affordable rent to buy where this will enable households to save towards ownership whilst renting at an

affordable level.

The Council's viability evidence is now out-of-date, having been developed in the time prior to the publication of the revised Framework, with no consideration of the new definition of affordable housing. The change in the range of households whose needs may be met by affordable housing has changed, and this may affect the variables tested in the assessment; we suggest that the Council obtain an update from the consultants on this matter to ensure the policy is justified and can be effective. Revert to use of the terms used in the National Planning Policy Framework; deleting reference to intermediate in favour of other affordable routes to home ownership.

Organisation: IHTA Design (on behalf of Joseph Homes)
NSPPSV391

We welcome the opportunity to contribute to the consultation on the Regulation 19 version of London Borough of Southwark's new Local Plan. This representation is submitted to LB Southwark Council on behalf of Joseph homes.

Joseph Homes is a residential-led mixed use developer with a focus on London. We have experience of developing proposals in Southwark, most recently working on the developments at Sylvan Grove and Rockingham Street. We would like to submit the following representation on the draft Local Plan.

Joseph Homes recognise that the provision of affordable homes is an important part of creating successful mixed communities.

However, we are of the view that the introduction of a 40% fast-track threshold in the borough, is a fairly substantive policy change to be introduced at Regulation 19 stage, and would question whether this is a sound approach. In particular, we would hope to see further up to date viability testing, to support the proposed approach, which it does not appear the Council has undertaken, or if it has this has not been made publically available. The most up to date housing viability evidence base that has been made available by the Council

Policy P1 introduces the fast track approach which is set at 40% affordable housing requirement and 60% in the Aylesbury Area Action Plan area. Where 40% affordable housing or 60% in the Aylesbury Area Action Plan is to be provided with no grant subsidy and the policy compliant tenure split, the applicant can follow the fast track route. A viability assessment is not required for public scrutiny in this case. 35% affordable housing should be provided as 25% social rented homes and 10% as intermediate homes or as per table 2, the remainder can be social rented and/or intermediate homes.

The fast track route provides an incentive for developers to push up their affordable housing provision as they can fast track their application. We have set a higher threshold than the Draft London Plan given our acute need to deliver affordable housing. Most of our planning applications coming forward are meeting 35% affordable housing with the greatest providing 40.5% and therefore we want to ensure we can increase the provision further. If the fast track route is not being taken, the applicant has the option to follow the viability tested route.

(Housing Policy Viability Study Update study by BNP Paribas) is dated 2017. Within this study it is acknowledged that many sites have 'challenging viability'. Given this, it is suggested that further up-to-date evidence should be required to support the increased viability threshold proposed by LB Southwark. The Council must produce and make publicly available up-to-date viability testing to demonstrate the provision of 40% affordable housing is likely to be deliverable on the majority of development sites coming forward. Without this the plan is not considered sound and delivery of affordable housing in the borough could be prejudiced.

The reason for the higher fast track threshold is due to the acute need of affordable housing of 2,077 homes per annum in the borough as identified in the SHMA 2019, therefore this figure is higher than the figure proposed in the Draft London Plan given the local need.

Organisation: Alvey estate tenants and leaseholders association (ATLAS) (& liaison with some of neighbouring Kinglake Tra)
NSPPSV396

It has NOT BEEN JUSTIFIED to us because it should deliver benefit to us but it is disbenefit

- reduction in tenants rights where social le housing association tenure replaces secure council tenure,
- overcrowding we do not want ANY more housing in our estates. Scrap it and PUT PROPOSALS OUT TO BALLOTS BY SECURE COUNCIL TENANTS AND BY COUNCIL LEASEHOLDERS.
- The plea for more social housing is a con to justify social cleansing and COMMUNITY destruction onto social barbarism.
- if you want more social housing it should go in Mayfair or dulwich where it us in short supply.

Your actual policies overall are net destruction and demolition of council housing

- it is NOTEFFECTIVE FOR THIS REASON.

IT IS NOT CONSISTENT WITH NATIONAL OR LONDON PLAN which do not in terms treat us and Brownfield.

IT HAS NOT BEEN POSITIVELY PREPARED. It is a malevolent plan overseen by a corrupt process of councillors and officers working with developers intentions to further plunder and the Imposed and never voted on UN-EU Agenda 21/ 2030 overcrowded SMART cities hypercontrolled by (likely damaging militry

Noted. The Council's priority is for social rented housing which is set out in Policy P1 and is also recognised in the Housing Strategy which seeks to achieve 11,000 council homes by 2043.

The Council Plan 2018/19-2021/22 sets commitments for the borough. This includes introducing ballots on any new estate regeneration and a Consultation Charter to ensure local residents can hold private sector developers to account. The ballot system has been introduced for new estate regeneration. The development consultation charter ensures developers clearly set out how they have addressed residents' and stakeholders' concerns.

originated) 5G systems.

Organisation: Leathermarket Joint Management Board (JMB) & Leathermarket Community Benefit Society (CBS)
NSPPSV398

The amendments do not make the policy sound. 40% of housing provided as “affordable housing,” with only 25% at social rents, does not adequately respond to the level of housing need in the Southwark. Based on our own housing needs assessments on our estates, Leathermarket agrees that Southwark residents want and need considerably more affordable and council housing in the area. The Council’s own evidence base indicates that 92% of Southwark households are eligible for affordable housing products, with household incomes below £90,000. A policy of only 35% affordable housing does not adequately respond to the existing housing needs in the borough. The amount of social rented housing in the proposed submission version of the plan remains at 25%, and is not evidenced as appropriate to meet housing need in Southwark. The policy should require a minimum of 35% of all new housing as social rented, and an additional 10% at affordable rents –for a minimum of 45% mandatory affordable housing provision. Social rent also needs to be inserted in the Reasons and Fact Box, which should be maintained in the final version of the plan. To be consistent with the new policy title, the term affordable housing should be deleted throughout the policy.

50% affordable housing is the aspirational target for the borough. This will be achieved through achieving a higher provision of affordable housing on council owned land. Where viable, on council owned land a greater provision of 50% affordable housing will be provided. This commitment is set out on page 12 (A Fairer Future - a place to belong) of the Council Plan. We will continue our long-term homebuilding programme, delivering on our commitment to build 11,000 new council homes by 2043.

The affordable housing target of 35% is set out in Policy P1 which has been determined through viability testing. It sets a requirement of a minimum of 35% affordable housing to be delivered (with the exception of Aylesbury Area Action Plan area) subject to viability. Where a development is providing the required amount of affordable housing the fast track route can be followed where a viability appraisal does not need to be provided. Policy P1 requires viability appraisals to be submitted with all planning applications to be validated where they are not following the fast track route. This will ensure the maximum viable provision of affordable housing can be achieved. Where a development can viably provide a greater amount of affordable housing (up to 40%) this will be identified.

Social rent is defined in the Annex.

Organisation: SGTO
NSPPSV400

My name is X, I am writing from Southwark Group of Tenant Organisations (SGTO). We are an umbrella organisation of tenant and residents and the associations that represent them in Southwark. Based at Bells Gardens Community Centre, 19 Buller Close, SE15 6UJ – although we are a borough wide member federation.

We would like to speak at the examination in public on the below points. I am submitting our NSP response via email in the interest of transparency as a member organisation. I am objecting to the following points because I do not feel the below points to be legal or sound.

The term affordable is vague and subjective.

P1 Social rented and intermediate housing is unsound because:

- a) SGTO does not support intermediate housing because it does not provide secure life-time tenancies to tenants who may otherwise be eligible for council housing
- b) The council should clear its waiting list by building more council homes before it permits more market housing to be built.
- c) The council should build more housing stock for socially rented housing so rents are invested back into the borough and instead of lining developers or housing associations' pockets.

Viability

- d) Provision of affordable housing on-site should be the preferred option. Developers should be made to go through a further level of scrutiny to prove they cannot provide onsite affordable housing. If they are making in lieu payments a robust monitoring system should be developed to ensure that developers do not use this to reduce their costs.

50% affordable housing is the aspirational target for the borough. This will be achieved through achieving a higher provision of affordable housing on council owned land. Where viable, on council owned land a greater provision of 50% affordable housing will be provided. This commitment is set out on page 12 (A Fairer Future - a place to belong) of the Council Plan. We will continue our long-term homebuilding programme, delivering on our commitment to build 11,000 new council homes by 2043.

The affordable housing target of 35% is set out in Policy P1 which has been determined through viability testing. It sets a requirement of a minimum of 35% affordable housing to be delivered (with the exception of Aylesbury Area Action Plan area) subject to viability. Where a development is providing the required amount of affordable housing the fast track route can be followed where a viability appraisal does not need to be provided. Policy P1 requires viability appraisals to be submitted with all planning applications to be validated where they are not following the fast track route. This will ensure the maximum viable provision of affordable housing can be achieved. Where a development can viably provide a greater amount of affordable housing (up to 40%) this will be identified.

As a starting point, we require affordable homes to be delivered on site, if the developer states this is not possible this will need to be justified with the provision of robust evidence and a viability assessment will also be required to confirm that they are providing the maximum viable amount of contributions.

Individual
NSPPSV148

The amendments do not make the policy sound. 40% affordable housing does not meet housing need in Southwark. The amount of social rented remains at 25% and is not evidenced.

The opportunities presented by the lifting of the borrowing cap on the Housing Revenue Account are not being grasped. The council house building programme can be expanded and include 100% council housing where public land is developed. The first priority of housing development should be the delivery of housing that meets the needs of those on the Housing Waiting List. Therefore a presumption needs to be made in favour of affordable housing, rather than the current emphasis on unaffordable housing.

50% social rented housing on private land is the minimum requirement.

To make the policy sound:

- The policy requirement should be a minimum of 50% of all new housing as social rented.
- Social rent also needs to be inserted in the Reasons and Fact Box.
- Social rented housing will be the presumed housing provision until such time as the housing waiting list is cleared.
- To be consistent with the new policy title, the term affordable housing should be deleted throughout and replaced with social rented to meet the needs of those on the housing waiting list.

50% affordable housing is the aspirational target for the borough. This will be achieved through achieving a higher provision of affordable housing on council owned land. Where viable, on council owned land a greater provision of 50% affordable housing will be provided. This commitment is set out on page 12 (A Fairer Future - a place to belong) of the Council Plan. We will continue our long-term homebuilding programme, delivering on our commitment to build 11,000 new council homes by 2043.

The affordable housing target of 35% is set out in Policy P1 which has been determined through viability testing. It sets a requirement of a minimum of 35% affordable housing to be delivered (with the exception of Aylesbury Area Action Plan area) subject to viability of which 25% is social rent and 10% is intermediate housing. Where a development is providing the require amount of affordable housing the fast track route can be followed where a viability appraisal does not need to be provided. Policy P1 requires viability appraisals to be submitted with all planning applications to be validated where they are not following the fast track route. This will ensure the maximum viable provision of affordable housing can be achieved. Where a development can viably provide a greater amount of affordable housing (up to 40%) this will be identified.

Social rent is defined in the Annex.

Individual
NSPPSV406

We note Emerging Policy P1 (Affordable homes) sets out the thresholds and criteria in the provision of affordable homes. We support the policy's approach that the provision of affordable homes is subject to viability.

Noted

Organisation: Balfour Housing Street Project
NSPPSV173

This submission is made on behalf of members of the Balfour Street Housing Project, a fully mutual co-op of 21 households located directly opposite Trafalgar Place, the first development site undertaken by Lend Lease on the former Heygate Estate site, 5 minutes' walk from the Aylesbury Estate site and the boundary for the Old Kent Road Opportunity Area runs along our street. We are tenants who prevented the demolition of the houses we occupy over 40 years ago and worked with the then Council members and officers to bring them into use. Throughout the life of this Co-op we have played an active role in neighbourhood activities, initiating the development of what is now the Green Flagged Victory Park and Nursery Row Parks and are currently working with officers and members on the Balfour Street improvement scheme. Given the enormous loss of Council housing and the undermining of a sense of community in large parts of this neighbourhood in this neighbourhood we feel the New Southwark Plan (NSP) should do everything possible to redress this.

The "NB" note at the top should be removed as it doesn't mean anything. The word 'affordable' cannot stand on its own without being quantified and defined in detail. Using it in this way is unhelpful to the rest of the policy and plan. It should be defined in relation to rent levels which should be a proportion (25 – 30%) of the London living wage

'Percentage' section:

Officers should remove "subject to viability" from line two of paragraph 1, under the 'Percentage' section. 35% of social rented housing should be the absolute minimum, without compromise. This must be made clear in this local plan.

'Viability' section:

There is a lack of consistency – the newly added paragraph 2, states that

The note on affordable housing has been amended and moved into the reasons section of P1, the term affordable is not specific enough which is why we use the descriptive terms i.e social rent and intermediate housing. This is not intended to mean that all housing is affordable.

50% affordable housing is the aspirational target for the borough. This will be achieved through achieving a higher provision of affordable housing on council owned land. Where viable, on council owned land a greater provision of 50% affordable housing will be provided. This commitment is set out on page 12 (A Fairer Future - a place to belong) of the Council Plan. We will continue our long-term homebuilding programme, delivering on our commitment to build 11,000 new council homes by 2043.

The affordable housing target of 35% is set out in Policy P1 which has been determined through viability testing. It sets a requirement of a minimum of 35% affordable housing to be delivered (with the exception of Aylesbury Area Action Plan area) subject to viability of which 25% is social rent and 10% is intermediate housing. Where a development is providing the required amount of affordable housing the fast track route can be followed where a viability appraisal does not need to be provided. Policy P1 requires viability appraisals to be submitted with all planning applications to be validated where they are not following the fast track route. This will ensure the maximum viable provision of affordable housing can be achieved. Where a development can viably provide a greater amount of affordable housing (up to 40%) this will be identified.

The council will encourage developers to provide more affordable housing, above 40%, where viable.

The reference to asking for viability assessments for all applications, not

developments providing 40% affordable housing with policy compliant tenure mix can follow the fast track route. It would be very good if this were the case and it is a genuine attempt by Southwark to increase the level affordable housing from 35% to 40%..

Furthermore, to the extent that 40% is the figure chosen, we believe this should be increased to 50%, to incentivise development to provide significantly more than the minimum 35% affordable housing level. The Council should be taking the initiative to 'sweat the assets'.

'Reasons' section:

Restore deletion in 'reasons' which states that they ask for assessments for all applications, not just unviable ones.

Large amount of text has been deleted from the reasoning, with no replacement. We feel this makes it harder to scrutinise the detail and justification for planning applications. The text should be restored or replaced with something that serves a similar purpose.

General comment:

The policy doesn't take account of what makes up a neighbourhood –and the way that "intermediate" housing, next to social is liable to change the nature of the neighbourhood.

The policy should recognise that mixed tenure can create fragmented neighbourhoods if not designed and integrated carefully. The policy should seek to acknowledge that neighbours with different tenure types/property interests may have different priorities (e.g. parking spaces etc.).

The policy as a whole should grapple with the challenges inherent in delivering integrated communities with mixed tenure, and prevent the horror of 'poor

just unviable ones has been removed as the fast track route has been introduced and as a result some planning applications will not need to provide a viability assessment.

The factbox has been reinserted.

Amended Policy SP2 encourages tenure integration and equality within and between new development in order to create the conditions for properly mixed and integrated communities, ensuring equity of esteem from street level, and to mitigate against stark visible difference and a sense of tenure segregation.

<p>doors’ scandals which can be the consequence of mixed tenure new developments, and the hierarchy of space which often results. This is partially addressed in policy P9, but we feel it should be mentioned/cross-reference here as well – because it is not just about individual design issues such as access to buildings: there are other examples such as different lifts for different tenure types, or restricted fob access for social rent tenants. The issue is sufficiently significant and wide-ranging that it warrants general comment in this policy.</p> <p>We recognise these general concerns are difficult to address through planning policy alone, but in our view it is important they are acknowledged in this document.</p>	
<p>Organisation: Tide Construction Ltd NSPPSV413</p> <p>The supporting reasons for the draft policy have been amended to require “all development to deliver a minimum 35% affordable housing”. We consider that this amended wording is not justified and not clear and should be reviewed in the next version of the plan.</p>	<p>Policy P1 requires the provision of 35% affordable housing in line with the London Plan. If this cannot be met, this will need to be evidenced in the viability appraisal. Developers will be encouraged to exceed the provision of 35% affordable housing where viable to boost the delivery of affordable housing.</p>
<p>Organisation: Berkeley Homes NSPPSV21</p> <p>These representations have been prepared on behalf of Berkeley Homes (South East London) Ltd (Berkeley) regarding the draft New Southwark Plan (NSP) Proposed Submission Version: Amended Policies January 2019 consultation. These representations follow on from previous representations made by Rolfe Judd Planning on behalf of Berkeley in September 2016 in respect of the New Southwark Plan – Preferred Option June 2016, in September 2017 in respect of the New Southwark Plan Preferred Option - New and Amended Policies June 2017 and in February 2018 relating to the New Southwark Plan Proposed Submission Version.</p> <p>We understand that following the consultation on the Amended Policies January</p>	<p>Policy P1 introduces the fast track approach which is set at 40% affordable housing requirement and 60% in the Aylesbury Area Action Plan area. Where 40% affordable housing or 60% in the Aylesbury Area Action Plan is to be provided with no grant subsidy and the policy compliant tenure split, the applicant can follow the fast track route. A viability assessment is not required for public scrutiny in this case. 35% affordable housing should be provided as 25% social rented homes and 10% as intermediate homes or as per table 2, the remainder can be social rented and/or intermediate homes.</p> <p>The fast track route provides an incentive for developers to push up their</p>

2019 that the Council will undertake a full consultation on the proposed Submission Version of the NSP prior to submission to the Secretary of State for Examination.

Overall we consider the amendments to the policies in the NSP to be broadly sound and support the objectives of the Council to deliver new homes and jobs in the Borough. However it is important to review the policies within the context of the wider NSP. We are therefore keen to further contribute to the next full consultation on the Submission Version of the plan and will provide additional comments at the relevant stage.

About Berkeley Group and its investment in Southwark

Berkeley is also a significant investor in Southwark. It has delivered a range of innovative and exemplary urban regeneration projects across the Borough including developments at Tabard Square and One Tower Bridge. They are currently also delivering development at One Blackfriars. These developments deliver new infrastructure, high quality public realm and many new jobs in addition to a large number of affordable homes contributing to the success of the Borough.

Berkeley Group continues to invest in the Borough as demonstrated by its recent application to Southwark for a mixed-use development at Malt Street along the Old Kent Road. A planning application was submitted to the Council in July 2017 (Council Ref: 17/AP/2773). The scheme London Borough of Southwark May 2019

provides a mixed-used development of high quality design that incorporates up to 1,300 homes (including 40% affordable homes) and up to 7,000sq.m of non-residential floorspace within an attractive and inclusive environment, optimising the use of this allocated site (Site Allocation OKR 10) in the Old Kent Road Area Action Plan (DOKR AAP (December 2017) and Site Allocation NSP65 in the NSP. The application is in direct response to the Council's vision for the area and the current DOKR AAP as well as the revised DOKR currently under consideration by

affordable housing provision as they can fast track their application. We have set a higher threshold than the Draft London Plan given our acute need to deliver affordable housing. Most of our planning applications coming forward are meeting 35% affordable housing with the greatest providing 40.5% and therefore we want to ensure we can increase the provision further. If the fast track route is not being taken, the applicant has the option to follow the viability tested route.

The reason for the higher fast track threshold is due to the acute need of affordable housing of 2,077 homes per annum in the borough as identified in the SHMA 2019, therefore this figure is higher than the figure proposed in the Draft London Plan given the local need.

The factbox has been reinserted. .

officers. Both documents seek 20,000 new homes in the Opportunity Area by 2036. The application will make a substantial and positive contribution towards the overall ambitious housing delivery targets of the Council's Local Plan of achieving 27,362 homes by 2025. The application scheme will also deliver a range of new job opportunities to substantially increase the provision of employment on the site helping the Council meet its target of 10,000 new jobs in the area.

Berkeley's investment in the Borough will continue so long as the delivery of viable development can be achieved. This relies upon development plan policies and guidance that encourages regeneration.

Representations on behalf of Berkeley Homes (SEL) Ltd

We provide these remarks as interim representations ahead of further comments on the Submission Version of the plan in summer 2019.

Please note where paragraph numbers are given, these have been counted down from the relevant section referenced.

Concluding Comments

Berkeley continues to strongly support the Council in its identification of the benefits of a combined London Borough of Southwark May 2019 Borough wide approach to deliver higher density developments within designated growth areas, town centres, opportunity areas and areas of high public transport accessibility. The focus on brownfield land and highly sustainable and accessible locations is important to delivery of 'Good Growth' as supported by the draft London Plan.

Whilst Berkeley supports the Council in the preparation of the plan and its aspirations for the Borough we are keen to continue to review the policies within the context of the next consultation on the NSP. We will therefore participate in the next full consultation on the plan and will provide additional comments at the relevant stage.

The Council's overall target of a minimum of 35% of homes (by habitable room) continues to be supported. However as reflected by the Mayor's target in his Affordable Housing and Viability SPG (August 2017) (Mayor's SPG) we consider

<p>that the viability fast track route should be retained at the 35% threshold. This approach ensures continuity between strategic policy for London and local policy for Southwark and provides clear direction for the approach developers should take.</p> <p>Representations on earlier drafts of the NSP have highlighted Berkeley's concern over the impact of the Council's policy on affordable homes on development viability. In order for development to proceed it must be viable. As noted in Paragraph 173 of the NPPF Local Plans should be deliverable.</p> <p>As set out by our previous representations we consider that the fact box defining the different affordable tenure types and products in beneficial in providing clarity for developers. Whilst we acknowledge that the overly detailed fact box for the policy was too complex we consider that the definitions should be retained. This will provide much needed clarity confirming the Council's preferred affordable housing products and enable developers to understand potential implications from an earlier stage.</p>	
<p>Organisation: Southwark Studios NSPPSV210</p> <p>No further comment applied</p>	<p>Noted.</p>
<p>Individual NSPPSV396</p> <p>Same answers in essence and previous. Private renters will suffer rent rises as area is socially cleansed and Up-Marketted. THEY SHOULD BE BALLOTTED ALSO. Another Legalistic ILLEGAL QUESTION WHICH SEEKS TO IMPOSE AN IDEOLOGICAL SOCIAL CLEANSING NARRATIVE ON SOCIALLY DEPRIVED OR ESTHIC MINORITIES WHO ARE IN REALITY LARGELY EXCLUDED FROM THIS TOP DOWN APPROACH AND HAVE NEVER BEEN ASKED. OR note when aylesbury est tenants and leaseholders had a ballot in 2000/2001 they voted overwhelmingly NO.</p>	<p>The Council's priority is for social rented housing which is set out in Policy P1 and is also recognised in the Housing Strategy which seeks to achieve 11,000 council homes by 2043.</p> <p>The Council Plan 2018/19-2021/22 sets commitments for the borough. This includes introducing ballots on any new estate regeneration and a Consultation Charter to ensure local residents can hold private sector developers to account. The ballot system has been introduced for new estate regeneration as has a draft development consultation charter</p>

<p>A first step to getting any semblance of fairness is to RECOGNISE THE BALLOT AND SCRAP THE AYLESBURY PLAN WHICH IS ITSELF ILEGAL FOR A NUMBER OF REASONS.</p>	<p>which ensures developers clearly set out how they have addressed residents' and stakeholders' concerns.</p>
<p>Organisation: Friends of Surrey Square Park NSPPSV4017</p> <p>I believe that the Council should commit in the NSP to providing COUNCIL HOMES, not just "social rented homes", and that there should be like for like replacement of in all Developments council homes with council homes for rent.</p>	<p>The Council's priority is for social rented housing which is set out in Policy P1 and is also recognised in the Housing Strategy which seeks to achieve 11,000 council homes by 2043.</p> <p>Within the Council Plan on page 12 (A Fairer Future - a place to belong) there is also a commitment to guarantee developments on council housing land have at least 50% council rented homes and ensure a right to return for council tenants and resident leaseholders so local people can stay in the borough they call home.</p>