



**NEW SOUTHWARK PLAN
PROPOSED SUBMISSION VERSION
CONSULTATION RESPONSES**

Part One

JANUARY 2020

Planning Policy
Chief Executive's Department
London Borough of Southwark
London
SE1P 5EX

6th December 2017

By Email

Dear Sir or Madam,

Representations to the New Southwark Plan, Proposed Submission Version

Thank you for consulting on the above document and allowing us an opportunity to make representation on the latest draft, which is the New Southwark Plan, Proposed Submission Version (NSP PSV).

These representations are made on behalf of Aitch Group, who currently have a number of land interests within the area covered by the Old Kent Road Area Action Plan (AAP) including at 62 Hatcham Road and 140 Ilderton Road. These comments should be read in conjunction with previous representations submitted on earlier versions of the New Southwark Plan. They should also be read in conjunction with representations made on the latest version of the AAP.

My client has no further comments to make on most the content of the NSP PSV. Their only comments are in relation to the boundary for Strategic Industrial Land, which has changed since the previous version of the plan, specifically relating to site designation NSP 69: Hatcham Road and Penarth Street.

We note that the boundary for the Strategic Industrial Land (SIL) shown on Annex 9 of the NSP PSV has changed to include the Penarth Centre, which is directly west to the land owned by my client.

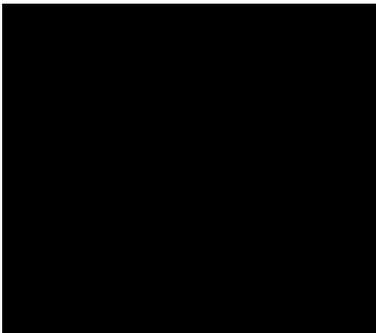
My client is alarmed that changes are still being made to the SIL boundary, particularly after investing significantly within the area and have submitted an application for the development of their land. It had been assumed that such fundamental issues had been settled in earlier iterations of the NSP and the AAP.

It is understood that the Penarth Centre has been included within the SIL because of its fragmented ownership and that there is very little prospect of it coming forward for redevelopment. Whilst this is understood and is a reasonable amendment, my client is concerned about potential further changes that could affect the land that they own or other nearby sites. They would resist such changes should they be proposed and would reserve the right to make further representations if this becomes a reality.

My client endorses the current allocation for NSP 69 and request that no further changes are made to it or the SIL boundary.

Thank you again for consulting us on the latest version of the NSP PSV. I would be grateful if you would confirm receipt of these representations and keep us informed moving forward.

Yours sincerely,



DaviesMurch

Part A: Contact details

If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in the next section.

1: Personal details

Title:	<input type="text" value=""/>
First Name:	<input type="text" value=""/>
Last Name:	<input type="text" value=""/>
Organisation (Where relevant):	<input type="text" value="A&M Leisure Ltd"/>
Position (Where relevant):	<input type="text" value=""/>
Address line 1:	<input type="text" value=""/>
Address line 2:	<input type="text" value=""/>
Address line 3:	<input type="text" value=""/>
Postcode:	<input type="text" value=""/>
Email:	<input type="text" value=""/>
Telephone:	<input type="text" value=""/>

2. Agents details (if applicable)

Title:	<input type="text" value=""/>
First Name:	<input type="text" value=""/>
Last Name:	<input type="text" value=""/>
Organisation:	<input type="text" value="WYG"/>
Position:	<input type="text" value=""/>
Address line 1:	<input type="text" value="Wharf House"/>
Address line 2:	<input type="text" value="Wharf Road"/>
Address line 3:	<input type="text" value="Guildford"/>
Postcode:	<input type="text" value="GU1 4RP"/>
Email:	<input type="text" value=""/>
Telephone:	<input type="text" value=""/>

Part B: Representation

Please select **one** policy per form to select which part of the plan you wish to make a representation on. The one option you select should be the item you should be commenting on in the subsequent boxes below. If you want to comment on more than one part of the plan, please submit part B again.

1. To which part of the New Southwark Plan does this representation relate to?

Implementation policy:

Development Management policy:

P43 Leisure, arts and culture; P27 Railway Arches; P44Community Uses

Area Vision:

AV.01.1-3; AV.03.1-3

Site Allocation:

NSP17 Ludgate House & Sampson House, 64 Hopton Street

Proposal Map:

Central Activities Zone; Bankside and Borough District Town Centre; Strategic Cultural Area: Bankside & Borough which includes Blackfriars Road

Other:

2. Do you consider the document to be legally compliant in accordance with the Town and Country Planning (Local Planning) (England) Amendment Regulations 2012?

Yes

No

3. Do you consider that the New Southwark Plan is Sound?

Yes

No

4. Do you consider that the New Southwark Plan is unsound because it is not?

Effective

Justified

Consistent with national policy and the London Plan

Positively prepared

5. Please give details of why you consider the New Southwark Plan not to be legally compliant or unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the New Southwark Plan, please also use this box to set out your comments.

We consider that the above referenced Area Vision, Site allocation within the **New Southwark Local Plan Proposed Submission version** (NSP) are inconsistent with the Mayor of London's emerging **draft Economic Development Strategy** (January 2018); adopted **Culture and the Night-time Economy SPG** (November 2017); policies of the **2016 Consolidated London Plan** (including 2.15 and 4.6); and para 70 of the **NPPF**. We also consider that the NSP 17 site allocation is inconsistent with the proposed NSP development management policies referenced above.

We do not agree with the approach in the New Southwark Plan towards leisure and entertainment uses along the Blackfriars Road part of Borough and Bankside District Town centre and London's Central Activities Zone. Clear and convincing reasons have not been given for the approach proposed in the NSP.

The Mayor aims to establish a fairer, more inclusive economy in the capital that creates and supports growth across all London's sectors. The **draft Economic Development Strategy** identifies a number of key themes to address in order to achieve continued economic growth across the capital that all Londoners can benefit from, including:

- **'Supporting London's sectors – including smart services, life sciences, tech and digital, and the cultural, creative and tourism industries.'**

NPPF Para 70 seeks *'To deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:*

- *plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;*
- *guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;*
- *ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community; ...'*

Site allocation NSP17 lies along the Blackfriars Road and within the designations set out below. This part of Blackfriars Road falls within the **Central Activities Zone (CAZ)** – London's vibrant core; within the **Bankside and Borough District Town centre**; and within the **Strategic Cultural Area of Bankside & Borough**, yet the New Southwark Plan separates Blackfriars Road vision area from that of Bankside and Borough. It notes in description of the Blackfriars Road area (AV.01.1-3; AV.03.1-3) that the Blackfriars Station is a key transport hub. The NPPF includes sui generis uses such as nightclubs within the definition of appropriate town centre uses, where users of larger scale venues can easily access a range of public transport. However, whilst noting that an existing night club exists within site allocation NSP17, it does not mention that this use is part of the existing use of Railway Arches 1-5 as a multi-purpose leisure venue. Furthermore the NSP allocation makes no provision to retain the existing sui generis use. We consider this is contrary to the policies and guidance set out above. We note that this is also in contrast with NSP development management policies within the NSP - P43, P44 and with the tenet of P27.

Significantly the venue is a multi-purpose leisure venue which has hosted Pulse an LGBT+ club since 2011. Para 4.15 of the **Mayor of London's Culture and the Night-time Economy SPG** seeks to ensure provision and retention of a wide range of leisure activities, noting London's diverse population and also notes that premises for LGBT+ have been in particular decline. Whilst the NSP mentions diverse needs it fails to protect diverse need in the wording of its development management policy P43. It is considered that in failing to protect the existing use at the site, the NSP does not comply with the inclusive policies in the London Plan, SPG and NPPF highlighted above.

6. Please set out what change(s) you consider necessary to make the New Southwark Plan legally compliant or sound. You will need to say why this change will make the New Southwark Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible

The Mayor of London has carried out important work set out in the SPG mentioned above, on the significant contribution of the night-time economy to the overall economy of the World City of London.

In order to be considered sound, the NSP should clearly:

- Recognise the huge economic value of the night-time economy and its importance as a source of employment in addition to its social value;
- Recognise the contribution of leisure & entertainment venues within the Borough to the vitality of its town centres, particularly those that provide for the needs of Southwark's diverse population, those of surrounding boroughs and those that are attracted to London's World City offer.
- Include policies which positively seek the retention of venues which have been particularly identified within the Mayor's SPG as in decline - such as those that serve a LGBT+ clientele

This recognition should be translated into site allocation NSP17 and the allocation should seek the **retention of the sui generis use** in common with site allocations elsewhere in the NSP and with policies P43, 44 and 27. The NSP does not provide convincing reasons for taking a different approach to site allocation NSP17 on Blackfriars Road particularly since para AV.01.1-3; AV.03.1-3 acknowledges that Blackfriars Station is a busy transport hub. Both the Bankside & Borough vision area and the Blackfriars Road vision area show Blackfriars Road station. This hub is ideally located within easy walking distance of site NSP17, making it an ideal location within the CAZ and District Town Centre for leisure & entertainment sui generis use. Whilst the site allocations proposals along Blackfriars Road include an increase in residential uses, the site allocations clearly include other mixed uses in recognition of the existing character of the area and the NSP vision for the area. There is no clear justification for the failure to include the retention of the existing sui generis use. The Planning Inspector's appeal decision dated 2013 clearly showed that the multi-purpose venue, including use as a large nightclub, situated within the Arches was capable of operating within this mixed use context subject to conditions and management plan. The existing planning permission for the NSP17 site was granted without a diversity report being provided, despite being sought by the Mayor's office, despite the club use being authorised at that time.

The NSP area vision and site allocation NSP17 should seek the retention of the existing venue within the redevelopment.

Policy 43 Leisure, arts and culture of the NSP should be strengthened to include more positive policies to protect existing safe leisure facilities for the LGBT+ community from redevelopment, because of the decline in safe venues for this group by the Mayor's SPG to contribute towards meeting the social needs of the acknowledged diverse population of Southwark and surrounding Boroughs.

Part D: Public Examination (required)

If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral examination

Yes, I wish to participate at the oral examination

It is vital that your contact details are submitted correctly to ensure that you can be contacted if you wish to participate in the public examination. Please tick the checkbox to confirm that the details which have been provided are correct.

I confirm that all details provided are correct

Part E: Equalities monitoring

Equality and engagement with our diverse communities is central to the day to day delivery of our Southwark Council Services. To deliver on our commitment to a fairer future, we need to collect some equality information about you. This also forms part of our legal responsibilities under the Public Sector Equality Duty of the Equality Act (2010).

We would therefore appreciate it if you could spend a few minutes filling in the details below. This information helps us to measure and analyse how well we are engaging with all those who live and work in the borough. Please do remember that whilst this information is very useful for our work, you are not obliged to answer or complete any or all of this information. Southwark Council is the data controller for the purposes of the Data Protection act.

Age:

Under 16

16-17

18-24

25-34

35-44

45-54

55-64

65-74

75-84

85-94

95+

Sex:

Male

Female

Disability and health:

Are your day-to-day activities limited because of a health problem or disability which has lasted or is expected to last, at least 12 months?

- Yes, limited a little
- Yes, limited a lot
- No, not limited

Please tick the box or boxes below that best describe the nature of your impairments:

- Hearing/Vision (e.g deaf or hard of hearing; blind or partial sight)
- Physical/mobility
- Mental health (lasting more than a year e.g severe depression, schizophrenia etc)
- Learning difficulties (e,g dyslexia, dyspraxia etc.)
- Memory Problems (e.g Alzheimer's etc.)

Please use this box below if you wish to share your impairment:

Nationality:

Ethnicity:

Preferred language:

English

Other

If Other, Please specify:

Religion or belief:

Christian

Sikh

Hindu

- Muslim
- Jewish
- Buddhist
- No religion
- Other

Marriage or civil partnership:

- Married
- Divorced
- Widowed
- Separated
- Registered in a civil partnership
- Formally in a civil partnership that is now legally dissolved
- Surviving member of a civil partnership
- Never married or in a civil partnership

Gender reassignment

Is your gender identity the same as the gender you were assigned at birth?

- Yes
- No

Pregnancy or maternity

Are you currently pregnant and/or on maternity leave?

- Yes
- No

Sexual orientation

- Heterosexual/Straight
- Lesbian/ Gay woman
- Gay man
- Bi-sexual

Please let us know which part of Southwark you live in

- Bermondsey and Rotherhithe
- Borough Bankside and Walworth
- Camberwell
- Dulwich
- Peckham and Nunhead

REPRESENTATION ON THE NEW SOUTHWARK PLAN SUBMISSION VERSION

NAME: Cameron Eccles
 ADDRESS: [REDACTED]
 EMAIL: [REDACTED]
 PHONE: [REDACTED]

I wish to take part at the oral /examination/public hearings.

NSP76**Blackpool Road Business Park**

The proposal for redevelopment of this site is not justified because the existing uses and other alternatives for the site's development have not been discussed with business or community stakeholders. It therefore does not take into account the benefits of retaining existing uses or potential alternative uses that might be developed on this site to meet the needs of the local economy and community.

The proposal suggests that the only current use of the area that should continue is that the bus garage should be retained or re-provided (?)

The builder's merchant Buildbase, which is one of the major features of the area is a hugely important local resource – for builders, homeowners and artisans.

It is Buildbase's flagship store. Out of more than 290 stores nationwide, their Peckham branch is their busiest. Surely this demonstrates that it is a valuable, if not essential part of the local infrastructure.

The Victorian industrial building currently housing a church is also surely an important part of Peckham's industrial heritage – as well as performing a needed social and cultural function.

What kind of community are we saying we are wanting to promote if we encourage wholesale exploitation of Peckham's current popularity to produce acres and acres of 'luxury' apartments and no social infrastructure?

Surely we are in great danger of destroying the character and functionality of a great community in the blind pursuit of maximising profit through insensitive gentrification?

We are in danger of throwing the baby out with the bath water and ending up with a soulless sea of foreign-owned, unfilled, over-expensive 'luxury' accommodation which local people can no longer afford.

Please reconsider.

Yours,

Cameron Eccles



DP4261

27 February 2018

DP9 Ltd
100 Pall Mall
London SW1Y 5NQ

Registered No. 05092507

London Borough of Southwark
Planning Policy Team
Regeneration and Neighbourhoods
Planning and Transport
Development Management
PO Box 64529
London
SE1P 5LX



Dear Sir/Madam,

**NEW SOUTHWARK PLAN – PRE-SUBMISSION VERSION CONSULTATION
AREA VISIONS & SITE ALLOCATIONS – JANUARY 2018**

We write on behalf of our client, AG EL 160 Blackfriars Road B.V, who are the owners of 160 Blackfriars Road, in response to the Regulation 19 Consultation (Proposed Submission Version) of the draft New Southwark Plan which was published for consultation on 15th January 2018 – 27th February 2018. The Site is referred to within the New Southwark Plan as Site NSP15: 157 – 168 Blackfriars Road.

Representations were submitted on behalf of our client to the Preferred Submission version of the Area Vision and Site Allocations document (February 2017). As explained in the previous representations, 160 Blackfriars Road has recently been renovated and is fully let. The area to the rear of the site forms an underutilised car park associated with the office use. The landowner has instructed a full design team to develop a hotel-led development on this underutilised land. Over the course of 2017, we have undertaken several pre-application meetings with the Council to discuss the parameters of a hotel scheme.

Site Allocation

The current wording of Site Allocation NSP15 states that any redevelopment of the Site must:

“Re-provide at least the amount of employment floorspace (B class) currently on the site or provide at least 50% of the development as employment floorspace, whichever is greater.”

The site allocation then suggests that any redevelopment of the site should provide new homes (Use Class C3).

The principle of allocating this site for redevelopment is fully supported. However, it is requested that two key changes are incorporated into the final allocation. These are detailed below.

Employment Floor Space

As detailed in our previous representations to the Preferred Options version of the document, the current wording regarding the requirement for employment floorspace is too prescriptive. It does not provide suitable flexibility to bring forward proposals for a range of employment generating uses, which both complement existing uses on site and are informed by market conditions.

Paragraph 157 of the NPPF states that Local Plans should allocate sites to promote development and the flexible use of land, bringing forward new land where necessary. The Site Allocations document needs to be in accordance with the NPPF and it is not the purpose of the Site Allocations to create additional prescribed policy tests for new development proposals. Core Strategy Policy 10 already protects existing business floorspace and supports the provision of additional business floorspace. Draft Policy P26 of the draft Local Plan requires development to retain or increase levels of business floorspace. Any redevelopment of the site would need to satisfy these strategic policies.

The Council has prepared a ‘Consultation Report on Preferred Option’ (November 2017). In response to our previous representations, the Council stated:

“Noted. The Site Allocation has been amended to set out the need for employment floorspace in this location. Redevelopment proposals will be assessed in consideration of the merits of the scheme and any site-specific circumstances.”

The Council’s statement is unclear and the response in the latest Site Allocation does not reflect the necessary amendment. We reiterate our previous comments regarding the prescriptive nature of the site allocation. It is requested that the allocation is amended as follows:

*“Redevelopment of the ~~site~~ **existing buildings** must:*

- **Contribute towards the thriving employment cluster in Blackfriars Road by providing at least the amount of employment floorspace currently on the site **and satisfy other policies within the New Southwark Plan** or at least 50% of the development as employment floorspace, whichever is greater;**”*

“New development opportunities on the site that do not include the demolition of existing buildings should complement the existing uses on the site and may include new visitor accommodation, new homes, new retail or new employment floorspace.”

Visitor Accommodation

The previous iteration of Site Allocation NSP15 stated that redevelopment of the Site may “*provide new visitor accommodation*”. Our previous representations strongly supported this designation and proposed use. Our client has instructed a full design team to prepare a hotel-led development and has undertaken several pre-application meetings with the Council on this scheme.

The pre-submission version of the document has omitted reference to visitor accommodation within the site allocation. No reasoning has been provided for the omission of this alternative use in the Council’s Consultation Report and no representations submitted resisted a hotel use.

The site is perfectly suited for visitor accommodation. It benefits from excellent public transport accessibility, is located in a central urban location on Blackfriars Road and within close proximity to key tourist attractions. The site is located within the Central Activities Zone (CAZ) and within an Opportunity Area. The provision of visitor accommodation in this location is supported by the London Plan and adopted Blackfriars Road SPD (2014). A hotel development is an employment generating use that will complement the wider mix of uses on Blackfriars Road.

Therefore, it is requested that reference to the acceptability of visitor accommodation on the site is included within the site allocation.

We trust that our representations for this consultation suitably reflect the aspirations for the Site and likewise the Council’s wider vision for Blackfriars Road and the borough. Should you require further information or would like to discuss our representations in more detail, please do not hesitate to contact [REDACTED] at this office.

Yours sincerely,

[REDACTED]

DP9 Ltd

From: Alan Sendorek [REDACTED]
Sent: 23 February 2018 09:50
To: planningpolicy
Subject: NSP - Blackpool Road development site

Follow Up Flag: Follow up
Flag Status: Flagged

Alan Sendorek
[REDACTED]
[REDACTED]
[REDACTED]

I would like to take part in any future consultation or formal hearings in relation to the Blackpool Road development site.

Dear Sir or Madam

I live in Sarawak Court on Consort Road, next to the Blackpool Road development site. I found out about a consultation closing on 27 February from Peckham Vision. I have previously seen the NSP on the Southwark website but there is very little awareness of the Blackpool Road development site in our building because there hasn't been anything through our doors about it.

I can't speak for all residents but my own view is that residential and commercial development on the Blackpool Road site would be better than what is there at the moment, not just because of the impact we currently face from living next to an industrial site, but also because it would help connect up the residential area behind our flats with the rest of Peckham.

I would like to see a study of the air quality where we live at the moment, having seen a thick film of black on the windows of my flat when they were cleaned last year. The window cleaner said this black dust comes from the diesel fumes that we breathe in from the buses and construction vehicles that pass by throughout the day. I can only imagine how poor the air quality is, not just for those of us living in Sarawak Court, but the two storey properties at the north of the site, which are in a terrible condition and really need sorting out.

So I would be in favour of any new development, so long as it didn't affect the light into Sarawak Court (what do you mean by 'tall' buildings on the north of the site), and so long as it drew on the area's industrial heritage rather than ignoring it. For example it would be good to preserve or incorporate existing buildings into any new plans, as well as to ensure any existing groups using those buildings are given similar or better accommodation nearby without a big price increase.

The success of the area - the Bussey Building and Copeland Park - is due to the way in which the new uses connect to the old. If the whole thing had been knocked down years ago and made into an identikit modern 'nicer' building, there would be nothing like the kind of level of vibrant activity that exists there today.

I'm very happy to take part in future consultations and suggest you make a bit of an effort to communicate with residents who live directly across from the site.

Regards, Alan

[Redacted]

From: [Redacted]
Sent: 27 February 2018 10:33
To: planningpolicy
Subject: Regarding New Southwark Plan

To whom it may concern

Reference P25

As someone who has run a business based in Southwark for over thirty years employing around forty staff, I would like to make the following comments regarding your New Southwark Plan.

It appears that many current industrial sites are not receiving protection and furthermore there is little or no attempt to integrate industry into mixed use areas. The bulk of my company, Flint Hire and Supply Ltd., was forced to move out of Southwark to nearby Deptford due to a lack of suitable industrial premises in the area. The final nail in the coffin was received when Southwark granted planning to convert our grade two listed scenery paint frame into flats. We now find our current landlords, Segro, are proposing doubling the rent on our current Deptford warehouse. This is possible due to the lack of supply of medium sized industrial units in the area. Furthermore Segro are now planning on selling the Deptford Trading Estate which without protection will no doubt end up as more unnecessary luxury housing. Flint Hire and Supply Ltd are currently considering total relocation of the company out of London partly due to a sheer lack of available industrial buildings (10,000 – 20,000 sq ft) and also because the few remaining ones are commanding prices only feasible for the likes of Amazon. If we move out of Inner London it will cause 40 staff to either relocate or undertake environmentally damaging journeys on a transport infrastructure that is already unable to cope. A local Zoopla search finds over 10,000 flats available within 3 miles of SE17 while you will struggle to find any decent industrial units. Jobs are needed to form a balanced society.

The plan needs to be revised to incorporate and protect industrial space so the area can provide a variety of jobs for local residents.

Yours sincerely,

[Redacted]

[Redacted]
[Redacted]



[Redacted]
[Redacted]
[Redacted]

[Redacted]
[Redacted]
[Redacted]



From: Alison Gelder [REDACTED]
Sent: 26 February 2018 18:52
To: planningpolicy
Subject: Objections to the NSP Submission Version

Follow Up Flag: Follow up
Flag Status: Flagged

I wish to take part at the oral examination/public hearings.

1. The plan is illegal because Gipsy and Traveller sites are not included. This means that the needs of Gipsies and Travellers have not been included in the impact assessment and that as a community they have not been consulted with in accordance with the Council's Statement of Community Involvement. This could be remedied by including the provision of Gipsy and Traveller sites in the plan.
2. IP5 - Monitoring Development. This policy is unsound because it is not effective. Adequate monitoring of development cannot be achieved unless the Council's whole approach to monitoring is changed. The Council has a record of not monitoring the actual outturn of, for example, the delivery of affordable units within completed developments. This is indicative of their approach to monitoring. In order to monitor development in an effective way the Council needs to set in place more effective monitoring of the actual outturn of developments and regeneration that has happened and is happening across the borough.
3. IP6 - Statement of Community Involvement. This policy is illegal because the Statement of Community Involvement that is being used is 10 years out of date and so is not compliant with, for example, the recent Supreme Court case on the principles of consultation within the 2011 Localism Act.
4. SP2 - Social regeneration to revitalise neighbourhoods. This policy is unsound because it does not make any reference to the impact of tall buildings on existing residents and neighbourhoods, nor to the conflict between enhancing local distinctiveness and heritage led regeneration and the proliferation of tall buildings. This can be remedied by the inclusion of an appropriate reference to the potential impact of tall buildings in these cases.
5. P11 - Design of place. This policy is unsound because it does not take into account evidence about the adverse effects of tall buildings on existing residents and neighbourhoods. Nor does it suggest how these adverse effects could be remediated if tall buildings are to be built. This could be improved by addressing this evidence and included appropriate guidelines for remediation.
6. P14 - Tall buildings. This policy is unsound because it makes no reference to or use of the evidence contained within, Historic England Advice Note 4 (2015) which has superseded the Historic England/CABE guidance from 2007 referred to in the text. This can be remedied by including reference to HE Advice Note 4 in the text and by incorporating its recommendations into the plan.
7. Area Visions and visions for specific sites. The failure of the plan to include any reference to HE Advice Note 4 renders many of the visions for specific sites unsound because they can no longer be described as objective and positively prepared. For example, in NSP08, NSP09, NSP42, NSP44, NSP45 and NSP46, it is said that tall buildings could be included in development plans provided that consideration was give to impacts on the existing character, heritage and townscape. This excludes consideration of, for example, the impacts on pedestrians and cyclists and on new and established walking and cycling routes due to wind shear caused by the agglomeration of multiple tall (or taller) buildings in successive developments.

RESPONSE/OBJECTION TO NSP SUBMISSION VERSION

Part A;

[REDACTED]

Organisation; Lamlash Street Allotment Society

[REDACTED] [REDACTED]

I wish to take part at the oral examination

Part B,

NSP sections; NSP Proposed Submission Versions Policies Map

Policies Map Schedules

NSP Annex 12, New and Amended Sites of Importance for Nature Conservation

We strongly support the NSP designation of SINC for our allotment site, NSP S26 'Lamlash Street Allotments' on Annex 12, Map page 26/47

However we strongly object to the 'change of name' which is evidenced in the Policies Map Schedules, SINCS, accompanying the NSP Submission Version Policies Map. In the above Schedule, our site, OS66 is listed in SINCS p17 as 'Lamlash Gardens'

We suggest that in this name change the Southwark Plan is neither legal nor sound.

There has been no consultation whatsoever about it with our organisation.

The changed name no longer describes the site accurately as, although we successfully maintain and manage our site to encourage and support local wildlife, our primary function is as an allotment site. We maintain that this name change is therefore not legal, justified nor effective.

We also note that many other allotments sites in the borough have also been designated as SINCS without the council seeking to change their historic names.

Our ref: J038505

Planning Policy Team
Southwark Council
5th Floor Hub 2
PO Box 64529
London
SE1P 5LX

22nd February 2018

Dear Sir / Madam,

Representations to the New Southwark Plan: Proposed Submission Version

GL Hearn act as planning advisors to Alumno Developments who has land interests within the London Borough of Southwark. We hereby submit representations to the New Southwark Plan: Proposed Submission Version (consultation end date 27th February 2018).

Alumno Developments

Alumno is a specialist provider of student accommodation. Alumno's management team have over 20 years' Developments experience working in partnership with both private and public sector clients including a number of higher educational institutions, delivering integrated solutions to meet their accommodation needs.

Alumno facilitates, develops and builds good quality student accommodation across the UK in partnership with universities and colleges. Alumno has a robust and sustainable approach, working closely with their partners to provide accommodation which addresses their specific needs and requirements. Alumno is also conscious of the financial pressures that students face when attending University and therefore always seek to provide affordable rent levels throughout their schemes.

Specifically, within LB Southwark Alumno has worked in partnership with Council on more than one occasion on mixed use student accommodation schemes within a place-making agenda. A notable recent scheme within LB Southwark is the recently opened Southwark Town Hall scheme which incorporates a children's theatre, affordable artist studios and café. This has brought new life to this area of Camberwell and is seen as a positive contributor to the neighbourhood.

Representation

The subject of these representations centres on emerging policy in relation to small independent businesses and student accommodation.

Policy P28 – Small and Independent Businesses

This policy states that

- 1) *“Development must:*
 - a. *Retain small and independent businesses. Where existing small and independent businesses are at risk of displacement from a development there should be full*

consideration of the feasibility of providing affordable and suitable space for existing occupiers in the completed development; and

b. Incorporate well designed and flexible units suitable for small and independent businesses. These must include a range of unit sizes and types. Opportunities for long term management of small business units by workspace providers should be fully explored. Furthermore there should be consideration of the feasibility of clustering non-residential uses in single use buildings (horizontal mixed use) and a full fit out”.

The supporting text of the policy goes on to define a small and independent business as one that employs less than 50 employees and operating on no more than three sites.

The current wording of this policy is considered to be overly onerous as point (b) of the policy requires all developments to provide space for small and independent businesses. Alumno considers that this policy should be subject to viability testing as well as site appropriateness.

In terms of site appropriateness, this is to ensure that proposed uses are actually placed in areas that require and suit that specific use. Areas constantly change and regenerate over time and the provision of business floor space in some areas may be inappropriate. As such, this policy should not be strictly applied across the board on all development proposals.

As such, it is considered that point (b) of the policy is reworded to state:

b. Incorporate well designed and flexible units suitable for small and independent businesses subject to viability testing that finds such a provision possible as well as ensuring the site is appropriate in terms of location and does not detract from the character of the area. These must include a range of unit sizes and types. Opportunities for long term management of small business units by workspace providers should be fully explored. Furthermore there should be consideration of the feasibility of clustering non-residential uses in single use buildings (horizontal mixed use) and a full fit out”.

Policy P24 – Student Homes

Alumno Developments submitted representations on the 13th September 2017 that sought to amend Policy DM22 (renamed to Policy P24) of the Preferred Options consultation document.

The representations raised concerns regarding the requirement for student accommodation to provide affordable housing, stating it is unduly onerous and is flawed in terms of viability and having to be located within Regeneration Areas. This is discussed in more detail below.

Policy P24 – Student Homes of the Proposed Submission Version of the New Southwark Plan has amended Policy DM22 and now states:

Development of purpose-built student housing must:

- 1 Provide adequately sized bedrooms and functional indoor communal living space commensurate with the intended number of occupiers sharing the communal space; and*
- 2 Provide 10% of student rooms as easily adaptable for occupation by wheelchair users; and*
- 3 When providing direct lets at market rent, provide 35% of the Gross Internal Area of the floorspace as conventional affordable housing, as per policy P4, as a first priority. In addition to this, 27% of student rooms must be let at a rent that is affordable to students; or*

4 *When providing affordable student rooms for nominated further and higher education institutions, provide as much conventional affordable housing as viable, as per policy P4.*

Alumno Developments support the removal of any specified location for student accommodation, and believe this is a positive amendment. However, the concerns regarding the need for conventional affordable housing remain.

The representations previously submitted are reiterated and should be considered once more. As it currently stands, the accompanying text to draft Policy P24 gives some indication as to reasoning behind the general aims of the policy, where Southwark Council are concerned that 'allowing too much student accommodation will restrict ability to deliver more family and affordable housing' (which is one of the aims of Policy 3.8 of the London Plan on housing need). This approach does not fully appreciate the role that designated student housing plays in unlocking the private-rented housing market. Purpose-built student accommodation provides students with specialist accommodation who would otherwise look to live in private-rented accommodation, making much needed accommodation unavailable to those who it is more suitable for, such as families. As such, the provision of student accommodation does not only provide continued investment into the Borough, but frees up housing stock for those who most need it.

It is indeed confirmed in the South East London SHMA (2014) that only 7% of students in South East London live in purpose built student accommodation with 23% still living with their parents and close to 50% living in the private rented sector. The SHMA goes to say that there is a concern that the increasing student demand will in fact put pressure on the PRS which will in turn squeeze out lower income non-students. On this basis it was concluded that there is certainly a demand for purpose built student accommodation however this should not be to the detriment of affordable housing. This would not be the case as the adopted policy already requires developments comprising student accommodation to provide a 35% of affordable conventional housing.

The policy and its supporting text currently do not provide viability evidence to justify the need for the 27% element to be made available as affordable to students over and above the existing adopted policy position of 35% affordable housing provision.

Furthermore, it should be noted that this approach differs to that of the recently published Draft London Plan (2017) that states that London Borough's should seek to secure purpose-built student accommodation where at least 35% of the accommodation is secured as affordable student accommodation. Southwark's approach is more onerous as it requests conventional affordable housing in addition to affordable student accommodation. The London Plan goes on to define affordable student accommodation as: "*a PBSA bedroom that is provided at a rental cost for the academic year equal to or below 55 per cent of the maximum income that a new full-time student studying in London and living away from home could receive from the Government's maintenance loan for living costs that academic year*".

It is therefore unclear as to how Southwark Council have reached their proposed position. Further viability evidence is sought to fully understand the Council's rationale for adding a further element of affordable housing which would allow independent corroboration and viability testing.

In addition, further clarity is requested on the meaning of 'affordable rent' for students within purpose-built student accommodation schemes, have the Council taken the same approach as defined in the London Plan as set out above? This would help to better understand how the policy will be practically applied in a consistent and equitable manner. It is also requested that it be made clear as to how affordable rent will be calculated on an ongoing basis, along with the frequency with which this will be reviewed and the process in place for rent reviews to subsequently be agreed upon.

With additional evidence on what affordable rent is, the plan would prove to be more robust and effective. This should be set out in the supporting text of the document providing guidance on what an affordable level of rent is in the Borough.

Alumno Developments would suggest that Point 3 of the policy is amended to be less prescriptive in its wording and remove the requirement to provide a further 27% of any student accommodation scheme to be allocated for affordable rent as this would help to ensure that student accommodation schemes are viable and deliverable within the Borough.

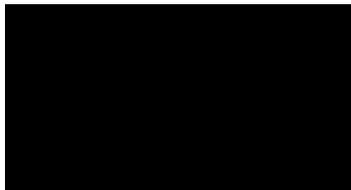
Returning to point 1 of Policy P24, it is considered that further information is required on what the Council considers as being *“Provide adequately sized bedrooms and functional indoor communal living space”*. In its current form this section of the policy is very subjective and detail should be provided on what an adequate sized bedroom and functional indoor communal living space is. This would help to better understand how this part of the policy is to be practically applied and ensure it is not applied subjectively and / or overly prescriptively.

Point 2 of the draft policy requires 10% of student rooms to be easily adaptable to be used by wheelchair users. The majority of students that are wheelchair users live in student accommodation located on university campuses. On this basis, it is considered that this is overly onerous as it is unlikely that wheelchair users will choose to live on student accommodation outside of a university's campus. As such we would like to suggest that the wording of the policy is reconsidered to read:

Up to 10% of student rooms are easily adaptable for occupation by wheelchair users.

This would allow student accommodation provider's additional flexibility in the design of their schemes.

Yours sincerely



GL Hearn

For and on behalf of Alumno Developments

Ia Desai

Address: [REDACTED]

[REDACTED]

at the oral examination/public hearings

Test of Soundness / Legality to which objection relates	OBJECTION / TEST OF SOUNDNESS	DETAIL / PROPOSED CHANGES
Not Justified:	<p>There is not sufficient evidence to show that the local community has been engaged and participated in the process.</p> <p>Ideas and proposals from within the community including those that put the local community plans and heritage interests at the heart have been ignored thus leaving many feeling overlooked and unrepresented. These ideas have not been adequately looked into.</p>	<p>It is not clear what the policies specifically in practical terms mean for the area. A proper consultation should only be had once they the policies and their implications are clearly spelled out for all to understand. The opinion of locals that are concerned about the effect of tall buildings on the character, quality and sustainable future of the area seem to have not been considered.</p> <p>A more detailed community consultation needs to be conducted for these site allocations.</p>
Not Justified:	<p>The plan does not appear to be based on a convincing and sound investigation. The sources are not credible and not believable.</p>	<p>I do not see any proof or actual findings of a proper investigation with regards to the site size. Nor is there a proper investigation into the impact on the character and quality of the area.</p> <p>We need more and up to date evidence as to what these sites are going to be sympathetically developed.</p>

<p>Not effective or positively prepared</p> <p>Not consistent with National Policy</p>	<p>The policies are not real or achievable, contradictory even. There are internal inconsistency between the taller buildings, the site development capacity and the “enhancement” of the heritage.</p> <p>Similarly the Site Allocations are contrary to the with the London Bridge Area Vision (AV 10) which states that development should:</p> <ul style="list-style-type: none"> - Support the creation of... restored and reactivated warehouses and other heritage revealed with ‘placemarks’, - Build on the fabric of local alleyways and yards to create quiet, green routes.. - Support the development of vibrant new high streets on St Thomas Street, Crucifix Lane and Tooley Street, complementing the distinct character of nearby Bermondsey Street. 	<p>developed.</p> <p>The unspecified taller buildings encourage site will almost certainly be extremely tall a obstruction overshadowing and wind tunnel tunnelling effect is already significant with the Shard further along to the West of the site significant damage to the local heritage set Horseshoe Pub, the Vinegar Warehouse and Railway Arches.</p> <p>There needs to be in the site allocation text statement that key buildings must be retained maintained and enhanced. Presently the wording is equivocal, it talks ‘where possible’ the setting provided by the Heritage assets (like Vinegar Yard) and the accorded firm protection in the site allocation.</p> <p>Again height restrictions need to be simply clear, by placing an absolute limit or by reference to House and 40 Bermondsey Street to the East tall buildings are in keeping with them, so taller rise developments are not permissible.</p>
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		<ul style="list-style-type: none"> • There would be no plan-led approach to changing this low-rise light-industrial area to mixed-use high rise • There would be no overarching planning policy to prevent the construction of 10-14-storey buildings in the midst of an area of low-rise dwellings • There would be no definition about what is “significantly higher than surrounding buildings or their context”. <p>The Camberwell Union plans have a 14-storey block at the centre; each block alongside it steps down slightly in height. There is a small terrace of 2-storey Victorian properties in the midst of the site that would be immediately surrounded on 3 sides by new buildings which are either 3, 4 or 5 storeys, and then by taller buildings stepping up to 14 storeys.</p> <p>Because the NSP is not consistent with the current London plan, there would be no consideration as to whether this area is appropriate, sensitive or inappropriate for tall and large buildings.</p> <p>Because the NSP is not positively prepared, there is no clear definition about the ‘context’ of the existing Victorian residential buildings, which of the 14 blocks would be classed as the ‘surrounding buildings’ or how it would be assessed whether the proposed new buildings are ‘significantly higher’.</p> <p>Because the NSP is not effective, private developers could get the green light to build 505 residential units, 35% of which should be ‘affordable’, even if their financial viability statement says there is a risk that 35% affordable housing (is not deliverable in viability terms, and says the scheme should be amended to allow it to be deliverable. So from the outset, a private development can declare it is unable to meet the target of 35% affordable housing, and the NSP is not effective enough to give the council the authority to reject the development on that basis. There is no shortage of unaffordable homes in Southwark. We need an NSP that enables the council to deliver affordable housing, not simply add to the supply of unaffordable housing.</p>
<p>Suggested changes to P14</p>		<p>To make the policy sound, the NSP should</p> <ul style="list-style-type: none"> • provide evidence to justify its policy change about tall buildings • Identify specific sites in the borough where tall buildings are appropriate (and consult local residents and business about the suggested locations and indicative heights). • show those locations on area vision maps and within site allocations • give indicative heights for tall buildings. • make it clear that tall buildings will be considered inappropriate in all other locations. • clarify all vague or unspecified sections, including <ul style="list-style-type: none"> ○ defining or giving examples of ‘a point of townscape significance’ (for example, is ‘significance’ based on architectural, historical, industrial or social factors?) ○ explaining what “criteria” are used when making decisions. .

From: Angharad Davies [REDACTED]
Sent: 24 February 2018 12:32
To: planningpolicy
Subject: REPRESENTATION ON THE NEW SOUTHWARK PLAN SUBMISSION VERSION

Follow Up Flag: Follow up
Flag Status: Flagged

NAME: Angharad Davies
 [REDACTED]
 [REDACTED]

PHONE: [REDACTED]

I wish to take part at the oral/examination/public hearings.

NSP76
 Blackpool Road Business Park

The proposal for redevelopment of this site is not justified because the existing uses and other alternatives for the site's development have not been discussed with business or community stakeholders. It therefore does not take into account the benefits of retaining existing uses or potential alternative uses that might be developed on this site to meet the needs of the local economy and community.

Existing Uses

There are several existing uses on the site which are viable and meet important needs. There is no justification offered for removing these.

The Old Mill Building is a spacious sturdy Victorian industrial building, and a significant local heritage asset that should be preserved. It is a family church of Community Outreach Ministries, operating as a local community centre which is a valuable community asset.

BuildBase is a builders merchants, established on this site for about 40 years. It is very well used by the many artisan and creative small businesses in Peckham as well as mainstream builders. BuildBase have said they have not been consulted by the Council, and that they have no desire to sell the business or leave the site.

The Bus Garage provides an important depot for local buses. The New Southwark Plan shows that there is no plan for the bus depot to be moved.

Council street works department has a depot on the site, which would have to be relocated.

Two storey housing: this is a small block with small flats run by the Council.

Blackpool Road runs east to west through the site and is an important part of the local pedestrian and road traffic network.

Proposed changes to make the NSP sound:

The site should be removed from the New Southwark Plan.

Alternatively, I will be willing to take part in council consultations with the local community about the future uses of this site to develop plans to include in the New Southwark Plan.

These should provide for the existing viable uses of the site and create opportunities for other uses compatible with existing viable uses and the surrounding residential area.

Kind Regards,
Angharad Davies

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[Redacted signature block]

From: ANNE STANESBY [REDACTED]
Sent: 24 February 2018 10:49
To: planningpolicy
Subject: New Southwark Plan

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Planning Policy Department.

I am a Southwark resident and my address is [REDACTED]

As your consultation form does not seem to be compatible with this computer, I am emailing you with the following comments which I would like to make in respect of the New Southwark Plan.

I do not consider that Policy SP6 Cleaner Greener Safer and Policy 56 Open Space have been positively prepared.

They do not properly address the very important issue that it is crucial for more green open space to be created in this Borough and that this space should be properly looked after. The recent decision to hold a loud music festival in May in Peckham Rye park is a good example of how not to look after a green space properly.

As more and more people move into this Borough, many of whom will increasingly be living in tower blocks, more green space must be created for them so that children can connect with nature and so that there will be somewhere where people can breathe fresh air. Planting more trees will also assist with global warming.

I hope you will be able to take my views into account.

Thanking you.
Anne Stanesby.

From: [REDACTED]
Sent: 28 November 2017 13:46
To: planningpolicy
Subject: New Southwark plan - Camberwell station

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Southwark Council.

I am writing to about your recent Camberwell vision plan which is excellent.

In particular the new Camberwell station is so very needed. The resulting plaza made from the bus parking opposite would open up the area and create excellent regeneration.

To change the car repair garages on Camberwell Station road to more social business would be highly positive.

I myself would start a new business - coffee shop etc - in this area.

By regenerating this area and providing a new station it links Camberwell with Matt's Field, Loughborough Junction and Camberwell Green in a highly positive way. Currently it is isolated.

To take any bus traffic away from the green would also be a dramatic quality of life improvement for residents.

My last comment is the Camberwell lacks a low traffic shopping Street (like Deptford High Street, Broadway Market). Here, with Camberwell Station Road is a unique opportunity for such an area. I am sure this will be very positive indeed.

Camberwell has been poorly served for transport and missed out on the Tube. Please do implement the station plan.

Kind regards
Anthony Gross

[REDACTED]

Representation on NSP

Name: Mr Arnot Birss, [REDACTED]

Address: [REDACTED]

Email address: [REDACTED]

Phone: [REDACTED]

I do not wish to take part at the oral examination/public hearings.

I am writing to inform the council of my desire to make a representation on Policy 25 of the New Southwark Plan – Strategic protected industrial land. The policy as stated in the plan fails to require re-provision of industrial capacity through the process of redevelopment.

- This is contrary to the policy’s aims as set out in clause 2.1 – “Retain, grow and intensify industrial uses”
- This is contrary to the National Planning Policy Framework (March 2012), specifically paragraph 17 – planning should “proactively drive and support sustainable economic development”.¹

Without allowing for the re-provision of industrial capacity through the process of redevelopment, I fail to see how the above principles can be enacted. For these reasons, Policy 25 is neither:

- Positively prepared
- Consistent with National Policy

Failing to maintain the industrial capacity of land use in Southwark, the borough’s economy will undoubtedly suffer. It would be appropriate to require a review of how to effectively maintain industrial capacity in instances where development plans impact (Strategic protected) industrial land. To this end, I suggest the inclusion of the below clause:

2.4 Review the re-provision of industrial capacity / re-designation of industrial land in instances where development cannot satisfy clauses 2.1, 2.2, 2.3.

The language of “must” in clause 2 is insufficient to protect Southwark’s industrial capacity and properly conform to both the NPPF and the NSP’s own stated aim in clause 2.1

¹ National Planning Policy Framework, March 2012, p. 5.

[REDACTED]

From: arthur hall [REDACTED]
Sent: 28 February 2018 07:37
To: planningpolicy
Subject: Re Aylesham Centre Plans

Arthur Hall

[REDACTED]

[REDACTED]

[REDACTED]

Introduction

The following are comments I wish to make on the proposed version of the New Southwark Plan on behalf of my organisation. I wish to appear at any public hearing/oral examination of these issues.

Firstly, I recognise the inclusion of Community Land Trust homes in the New Southwark Plan as a recognised 'Low cost home ownership product' (pg 24) and as part of the Site vision for site NSP75, saying 'Redevelopment of the site must:... Provide new intermediate affordable housing through a community land trust.' (pg 312). I would also like to commend Southwark Council's ambitious target to deliver 11,000 new council homes by 2043 with the first 1,600 complete or underway by the end of 2018. (pg 8).

This letter is largely in order to comment on one particular site – NSP75: Aylesham Centre and Peckham Bus Garage. After speaking to over 1,000 local people, attending all the public consultation workshop held by Tiger, running our own workshops on issues related to the site, canvassing local residents, shoppers and traders, Peckham Citizens has produced our Citizens Charter, a full copy of which is submitted along side this letter. Our headline proposal in the Charter is for the following to be delivered on the Aylesham site:

1. Affordable Homes

35% - 50% genuinely and permanently affordable, high quality homes for local people, priced according to local incomes, including social housing and a Community Land Trust.

2. Good Jobs

1 in 3 jobs for local people at all levels of seniority, a fully-resourced, targeted training strategy and all employees on site to be paid at least the London Living Wage.

3. Celebrating Peckham

An open, street-based design that includes a significant public space, protects key, local retailers and reinforces the existing culture, economy and built environment of Peckham, with no building on site at more than 9 stories tall.

4. Community Engagement

A commitment to meaningful community engagement with residents, traders and community organisations throughout the design, construction and management of the project. This should include local stakeholders being part of determining how any Section 106, Community Infrastructure Levy or overage agreement funds might be allocated.

Section 1

There is one item in particular that the following section refers to – the height of buildings on the Aylesham site. Please see the comments below:

Site Specific Policy NSP75: Aylesham Centre and Peckham Bus Station (pg 312-314) is unsound because:

- it is not consistent with the National Planning Policy Framework and has not been positively prepared.

The National Planning Policy Framework states that there is the need for *“early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses”* in order to make a *“collective vision”*.

Peckham Citizens have set up a petition calling for no towers on the Aylesham site but instead *“an open, street-based design that reinforces the existing culture, economy and built environment, celebrating Peckham as it already exists and with no building more than 9 stories tall”*. At the time of writing, the petition has gained nearly 5000 signatures, and this is without any media coverage other than the ‘hyper-local’ newspaper The Peckham Peculiar. In addition to the online petition, signatures have been collected on Rye Lane, at Peckham Bus Station, from the residents on surrounding streets and in local businesses, churches and schools. Almost without exception, people are unaware of the plans for a tall building on this site, and when informed of them, do not support them.

This policy has not been positively prepared because it was not effectively publicised and consulted on. It has been prepared contrary to the prevailing local opinion.

The large numbers of people who have signed this petition show that a tall building is not wanted by the vast majority of people who know, live in and love Peckham. It therefore does not form part of a *“collective vision”* for the site and is not consistent with National Planning Policy.

The Current London Plan (2016) states in point 7.28 that *“The Mayor will work with boroughs to identify locations where tall and large buildings might be appropriate, sensitive or inappropriate”* and the New Draft London Plan states in 3.8.3 that the *“Mayor will work with boroughs to provide a strategic overview of tall building locations across London”*. However there is no evidence to suggest that Southwark Council have worked with the Mayor’s office to determine if the Aylesham Centre and Peckham Bus Station site is appropriate for tall building(s). Therefore the policy is not consistent with regional planning policy or the National Planning Policy Framework.

The Aylesham site is within the setting of two conservation areas, many listed buildings including the 200 year old Rye Lane Chapel and key unlisted but much loved buildings such as the Jones and Higgins clocktower. The Current London Plan 7.25 requires that *“Tall buildings be resisted in areas that will be particularly sensitive to their impacts and only be considered if they are the most appropriate way to achieve the optimum density in highly accessible locations”*. Therefore the proposed policy is not consistent with regional planning policy.

-it is not justified and has not been prepared positively.

Tall buildings have a number of detrimental effects on the surrounding area and the environment through:

- shading,

- creating wind tunnels and ‘shadows’ that are notoriously hard to predict or mitigate once in place,
- higher energy use, embodied energy and maintenance costs,
- a detrimental impact on small-scale entrepreneurial activity,
- lack of external amenity space and ‘doorstep play’ areas which make them unsuitable for families,
- overlooking and loss of privacy for the existing surrounding buildings, including several streets of two and three storey houses that will be directly adjacent and their private outdoor space easily visible,
- a loss of ‘sky’ for pedestrians, loss of views for the users of nearby buildings and the creation of a feeling of being loomed over can significantly degrade the experience of the public realm and quality of place,
- isolation from the ground making the surrounding area feel less safe and enlivened,
- segregating the wider community by income; essentially becoming a gated community in the sky which limits interaction and social capital across socio-economic groups.

Recent research is summarised in the **White Paper on The Impacts of Tall Buildings: A Research Summary, 2015**, by Michael Mehaffy, Sustasis Foundation, Delft University of Technology (attached).

A medium rise development would be more in keeping with the character of the area and would not have the same, far reaching, negative impact of a 20 storey tower. Therefore the proposed policy is not justified as it has not been shown that an equivalent amount of housing could not be created on this site by other forms of development that has less negative impact.

While the **New Southwark Plan Preferred Version Consultation Report** refers to the Peckham and Nunhead Area Action Plan (PNAAP) finding the principle of a tall building acceptable on the site, this is based on an outdated urban design study. Public attitudes to high-rise development have shifted significantly in recent years and are supported by the growing body of research that exposes their negative impacts.

As the research behind the principles in the PNAAP is now outdated and they are contrary to national and regional planning policy, they are not justified and should not be used at the basis for further planning policy.

This policy is not justified as the significant harms that would be caused by a tall building on this site have not been identified and the evidence that tall buildings are necessary to achieve

increased density and regeneration has not been presented. See also the comments on **Policy P14: Tall Buildings**, (below).

There is a wealth of evidence indicating that tall buildings are not the ideal form of housing for the majority of people, particularly those who are vulnerable, families, those with many health issues or disabilities and those on low incomes. These include a comprehensive literature review by Professor Gifford of the University of Victoria that sought to answer the question ‘are

high-rise buildings a net benefit or cost to their residents?’ that concluded *“high-rises are less satisfactory than other housing forms for most people, that they are not optimal for children, that social relations are more impersonal and helping behaviour is less than in other housing forms,”*.

The forms of housing identified as most in need in the Strategic Housing Market Assessment (Chapter 6, Tables 6.11, 6.14 and 6.15; Chapter 7, Tables 7.1, 7.2, 7.11 and 7.13); and the NSP Proposed Submission Version Policy P1: Affordable homes (pg 21-25); P2: New Family Homes (pg 26); P5: housing for older people (pg 30); P6: Homes for Households with Specialist Needs (pg 31-32); and P13: Residential Design (pg 39-41) are those least suitable for high-rise development. Therefore this policy is not effective or positively prepared as it does not address this issue.

The NSP Proposed Submission Version has removed the requirement for any meaningful open or public space. The Consultation Report indicates this in response to a respondent who requests that an area equivalent to at least 15% of the site be put aside as open space. This has not been prepared positively and is not justified as it does not explain why the open space requirement has been removed.

-it is not effective.

The proposed policy states that *“the site could include taller buildings subject to consideration of impacts on existing character, heritage and townscape.”* and that *“careful consideration would also need to be given to the neighbouring residential areas and important local heritage buildings.”* This is not effective because it does not identify what the criteria or methods for assessing the negative impact of a 20 storey tower will be, or what mitigating factors would be expected, effective or acceptable.

The proposed policy does not state what level of harm or benefit for the community would be acceptable considering the negative impacts caused by tall buildings over a wide area and therefore is not effective.

The proposed policy is not effective because it does not identify and define what type and degree of environmental harm would be acceptable or how it should be mitigated on this site.

Changes that would make the policy sound include:

- Revising the policy to reflect current research into the effects of tall buildings.
- Requiring greater public consultation for the aspects of this policy that involve a significant change from the prevailing conditions. This should include leaflets widely distributed including to all residences and businesses in the surrounding area, on-site/street displays that are held in prominent local locations, publishing in local newspapers, and meetings with local groups, churches, schools, etc., that highlight that this site has been identified as suitable for a tower of 20 storeys and inviting comment.
- Preparing the policy in line with the feedback from an extensive and well-advertised consultation with local residents, businesses and community groups, or justifying why it should not be done.
- Related policy **P17: Conservation areas (pg 44-45)** could be strengthened by changing the wording to include the need for more extensive advertising of and public consultation on proposals that are brought forward that are higher than the prevailing existing townscape.
- Requiring that any proposals on this site must prove that the local housing need (in numbers and type, especially family housing) can only be met by including tall buildings rather than other forms that have less negative impact such as medium-rise developments.
- There should be a presumption stated that forms of building that achieve a similar level of benefit/accommodation but have a lesser negative impact on the surrounding area should be proven to be unachievable before a tall building (with a high level of negative impact) is allowed.
- In order to prevent segregation of the local community and the resultant harm to community cohesion, the policy should require that any development and all the major individual elements (eg buildings) of a development should comply with the relevant assessed housing need in the area, or justify why it cannot.
- Many of the issues that are important are in/we spoke to over 1000 local people to develop a Charter for the aylesham site that calls for a number of the above...attached. This should be included in the consultation document. Propose changes as per our charter and the letter from the leaders, attached. Those named/I would welcome the opportunity to appear at a public hearing or oral examination of this policy.

Section 2

There is a second item in particular that the following section refers to – the height of buildings across Southwark as a whole. Please see the comments below:

Policy P14: Tall Buildings (pgs 42-43) is unsound because:

- it is not consistent with national and regional planning policy.

The Current London Plan (2016) and Draft London Plan require that *“Tall buildings should be part of a plan-led approach to changing or developing an area”*, yet all restrictions on the height and location of tall buildings have been removed from the NSP and replaced with vague sentences such as we *“use a number of criteria to determine applications”*.

The National Planning Policy Framework paragraph 155 states the need for *“early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses”* to reflect a *“collective vision”*. However, it has become clear through the petitions (referred to above) and the public consultation work that Peckham Citizens has undertaken that the vast majority of local people are unaware of this policy, and when made aware, do not agree with it. Hence it does not reflect the prevailing local opinion or a *“collective vision”*.

This policy is therefore not consistent with national and regional planning policy.

-it is not justified.

All specific restrictions on the location and height of tall buildings have been removed from the NSP Proposed Submission Version (apart from in the site specific policies) which will open the door to the argument of precedence alongside existing or proposed tall buildings covered by site specific policies. The effect will be that clusters of tall buildings can be developed around a site with a site specific policy that had intended to allow just one tall building. There is a significant danger that this will happen on and around the Aylesham Centre and Peckham Bus Station site.

If clusters are to be encouraged around existing tall buildings then this is a significant change in policy and has not been widely publicised or consulted on therefore it is not justified.

The NSP states (pg 42) that *“Tall buildings ... can be an important component in contributing to Southwark’s physical regeneration, raising population density, avoiding urban sprawl and increasing the activities and life opportunities on offer for nearby residents.”* This is not proven, in fact a growing body of recent research is summarised in the White Paper on The Impacts of Tall Buildings: A Research Summary, 2015, by Michael Mehaffy, Sustasis Foundation, Delft University of Technology (attached). It shows tall buildings have detrimental effects on the surrounding area and the environment through:

- shading,
- creating wind tunnels and ‘shadows’ that are notoriously hard to predict or mitigate once in place,
- higher energy use, embodied energy and maintenance costs,
- a detrimental impact on small-scale entrepreneurial activity,

- lack of external amenity space and ‘doorstep play’ areas which make them unsuitable for families,
- overlooking and loss of privacy for the existing surrounding buildings, including several streets of two and three storey houses that will be directly adjacent and their private outdoor space easily visible,
- a loss of ‘sky’ for pedestrians, loss of views for the users of nearby buildings and the creation of a feeling of being loomed over can significantly degrade the experience of the public realm and quality of place,
- isolation from the ground making the surrounding area feel less safe and enlivened,
- segregating the wider community by income; essentially becoming a gated community in the sky which limits interaction and social capital across socio-economic groups.

The House of Commons (2001) report: Tall Buildings: Report and Proceedings of the house of Commons Transport, Local Government and the Regions Committee found that *“The main reason that the Committee held an inquiry into tall buildings was to identify the contribution which they can make to the urban renaissance. We found that contribution to be very limited. The proposition that tall buildings are necessary to prevent suburban sprawl is impossible to sustain. They do not necessarily achieve higher densities than mid or low-rise development and in some cases are a less-efficient use of space than alternatives. They have, for the most part, the advantages and disadvantages of other high density buildings. They can be energy efficient*, they can be part of mixed-use schemes and they can encourage the use of public transport where there is spare capacity, but so can other types of high density developments. Tall buildings are more often about power, prestige, status and aesthetics than efficient development.”*

*Note: more recent research is showing that this is not correct in the London climate, for example refer to the research by Philip Steadman (Emeritus Professor of Urban and Built form Studies and Research Fellow UCL).

-it is not effective.

If clusters of tall buildings are not intended to be allowed alongside existing or proposed tall buildings covered by site specific policies then this policy is not effective as it does not have any specific measures to control this possibility.

As the guidance for the location and height of tall buildings has been removed from the NSP, there is now no effective guidance to how the height and location of tall buildings should be assessed.

-it is not positively prepared.

The statement *“we have taken a consistent approach when planning for tall buildings and use a number of criteria to determine applications”* in policy

P14 is unfit for purpose as it is too vague to form a meaningful guidance for when tall buildings will be appropriate and does not reflect that this is a significant change to the existing policy.

This policy therefore does not meet the test for being positively prepared.

Changes that would make the policy sound include:

- The specific sites where tall buildings might be appropriate should be identified with a full description of the height, massing and type of building that would be acceptable, and this should be widely and extensively publicly consulted on.
- Revise the policy in line with recent research that challenges the principle that tall buildings increase density and help regeneration, or justify why this has not been done/is not appropriate.
- All other areas should be specified as not appropriate for tall buildings, unless separate, extensive public consultation that makes the scale of the change clear, is undertaken and widely publicised by the council on a case by case basis.
- Define what a ‘tall building’ is in line with the National Planning Policy Framework including the **New Draft London Plan Policy D8 part A**.
- Publish the “range of views” on tall buildings that have been gathered in the council’s consultation process (referred to in the Consultation Report) and quantify the numbers of people for, neutral, and against. This should be considered alongside the petitions that have recently gained thousands of signatures against towers.

Arthur Hall

Our ref: J038413

Your ref:

Planning Policy
Southwark Council

By email: planning.policy@southwark.gov.uk

26 February 2018

Dear Sirs

New Southwark Plan Proposed Submission Version

On behalf of our client, Avanton Limited, who have land interests in the London Borough of Southwark and, in particular, within the area of Old Kent Road, GL Hearn make the following representations in regard to Southwark Council's consultations on the New Southwark Plan Proposed Submission Version.

Employment/Strategic Industrial Land

As a future applicant within the area, our client is wholly supportive of Policy AV.12 and the Old Kent Road Site Allocation NSP67, relating to Sandgate Street and Verney Road.

However, it is recognised that Policy 2.17 of the current London Plan (2016) identifies Strategic Industrial Locations (SIL) as London's main reservoirs of industrial and related capacity. The Old Kent Road is identified as SIL, specifically as a Preferred Industrial Location (PIL), which are particularly suitable for industrial uses, logistics, waste management and recycling, utilities, wholesale markets and some transport functions.

However, the Policy also allows for the "*strategic coordination of SIL consolidation through an opportunity area planning framework or borough development plan*". Whilst it is presumed that this is the process that is being undertaken by Southwark, this is not explained within the NSP. Of concern is that the New London Plan (published after that of the NSP PSV) and its draft Policy E5 relating to Strategic Industrial Locations, continues to identify the Old Kent Road area as a Strategic Industrial Location.

It is understood that there have been discussions with the GLA on the de-designation of areas of the SIL within the OKRAAP, but this needs to be clarified and established within the NSP as well as the OKRAAP.

Affordable Housing

Policy P1 proposes a minimum of 35% affordable homes, subject to viability. Whilst we have not examined the BNP Paribas Viability Report in detail, we understand that the figure of 35% has been tested and it has been demonstrated that the Council's Policy P1 requirement of 35% affordable housing remains a reasonable requirement across all developments in the London Borough of Southwark. This figure is supported by our client.

We note that the part 4 of the former draft Policy DM1 has been removed from the policy, but the supporting text of the policy states that a financial appraisal must be submitted to demonstrate the deliverability of

affordable housing for all applications, not just those that are unviable. This requirement is at odds with the Mayor of London's recently adopted SPG for Affordable Housing and Viability and the draft London Plan, which do not require a 'viability appraisal' to be provided unless the minimum 35% affordable housing requirements have not been met. It is on this basis that we propose that supporting text be revised as follows (our emphasis added to highlight the proposed additional text):

*We require planning applications to show that the developments are viable and deliverable and provide a full viability assessment. ~~We ask for assessments for all applications, not just unviable ones.~~ **A financial viability appraisal must be submitted to demonstrate the deliverability of affordable housing where the minimum requirement for 35% affordable housing is not proposed.***

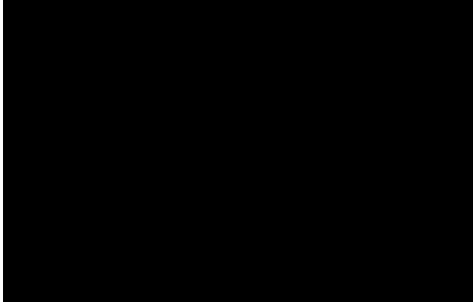
Cycle Parking

The cycle parking levels set out in Annex 1 and draft Policy 50 are considered onerous and could result in large swathes of unused cycle storage space within developments. Whilst it is recognised that the minimum cycle parking requirements for sites within the Old Kent Road Opportunity Area are consistent with the London Plan 2016, it is considered that this figure should be flexible, with the space being able to be reduced or reallocated to an alternative use if underutilised for a defined period.

Other than the above comments, as future applicants of sites within the Borough, the policies set out within the New Southwark Plan, particularly in relation to the Old Kent Road Opportunity Area, are supported.

I hope that you find these representations constructive. Please do not hesitate to contact the undersigned should you require any further clarification.

Yours sincerely



New Southwark Plan Proposed Submission Version representations form

Part A: Contact details

If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in the next section.

1: Personal details

Title:

First Name:

Last Name:

Organisation

(Where relevant):

Aviva Investors Pensions Limited & Galliard Homes Limited

Position

(Where relevant):

Address line 1:

c/o agent

Address line 2:

Address line 3:

Postcode:

Email:

Telephone:

2. Agents details (if applicable)

Title:

First Name:

Last Name:

Organisation:

Savills (UK) Limited

Position:

Address line 1:

33 Margaret Street

Address line 2:

London

Address line 3:

Postcode:

W1G 0JD

Email:

Telephone:

Part B: Representation

Please select **one** policy per form to select which part of the plan you wish to make a representation on. The one option you select should be the item you should be commenting on in the subsequent boxes below. If you want to comment on more than one part of the plan, please submit part B again.

1. To which part of the New Southwark Plan does this representation relate to?

Implementation policy:	<input type="text"/>
Development Management policy:	<input type="text" value="P2"/>
Area Vision:	<input type="text"/>
Site Allocation:	<input type="text"/>
Proposal Map:	<input type="text"/>
Other:	<input type="text"/>

2. Do you consider the document to be legally compliant in accordance with the Town and Country Planning (Local Planning) (England) Amendment Regulations 2012?

Yes

No

3. Do you consider that the New Southwark Plan is Sound?

Yes

No

4. Do you consider that the New Southwark Plan is unsound because it is not?

Effective

Justified

Consistent with national policy and the London Plan

Positively prepared

5. Please give details of why you consider the New Southwark Plan not to be legally compliant or unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the New Southwark Plan, please also use this box to set out your comments.

Please see supporting statement

6. Please set out what change(s) you consider necessary to make the New Southwark Plan legally compliant or sound. You will need to say why this change will make the New Southwark Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible

Please see supporting statement

Part D: Public Examination (required)

If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral examination

Yes, I wish to participate at the oral examination

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I confirm that all details provided are correct

Part E: Equalities monitoring

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(Where relevant):

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Address line 2:

Address line 3:

Postcode:

Email:

Telephone:

2. Agents details (if applicable)

Title:

First Name:

Last Name:

Organisation:

Savills (UK) Limited

Position:

Address line 1:

33 Margaret Street

Address line 2:

London

Address line 3:

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W1G 0JD

Email:

Telephone:

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1. To which part of the New Southwark Plan does this representation relate to?

Implementation policy:	<input type="text"/>
Development Management policy:	<input type="text" value="P6"/>
Area Vision:	<input type="text"/>
Site Allocation:	<input type="text"/>
Proposal Map:	<input type="text"/>
Other:	<input type="text"/>

2. Do you consider the document to be legally compliant in accordance with the Town and Country Planning (Local Planning) (England) Amendment Regulations 2012?

Yes

No

3. Do you consider that the New Southwark Plan is Sound?

Yes

No

4. Do you consider that the New Southwark Plan is unsound because it is not?

Effective

Justified

Consistent with national policy and the London Plan

Positively prepared

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Part D: Public Examination (required)

If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral examination

Yes, I wish to participate at the oral examination

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I confirm that all details provided are correct

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1: Personal details

Title:	<input type="text"/>
First Name:	<input type="text"/>
Last Name:	<input type="text"/>
Organisation (Where relevant):	<input type="text" value="Aviva Investors Pensions Limited & Galliard Homes Limited"/>
Position (Where relevant):	<input type="text"/>
Address line 1:	<input type="text" value="c/o agent"/>
Address line 2:	<input type="text"/>
Address line 3:	<input type="text"/>
Postcode:	<input type="text"/>
Email:	<input type="text"/>
Telephone:	<input type="text"/>

2. Agents details (if applicable)

Title:	<input type="text" value="█"/>
First Name:	<input type="text" value="████"/>
Last Name:	<input type="text" value="██"/>
Organisation:	<input type="text" value="Savills (UK) Limited"/>
Position:	<input type="text" value="████"/>
Address line 1:	<input type="text" value="33 Margaret Street"/>
Address line 2:	<input type="text" value="London"/>
Address line 3:	<input type="text"/>
Postcode:	<input type="text" value="W1G 0JD"/>
Email:	<input type="text" value="██████████"/>
Telephone:	<input type="text" value="████████"/>

Part B: Representation

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1. To which part of the New Southwark Plan does this representation relate to?

Implementation policy:	<input type="text"/>
Development Management policy:	<input type="text" value="P9"/>
Area Vision:	<input type="text"/>
Site Allocation:	<input type="text"/>
Proposal Map:	<input type="text"/>
Other:	<input type="text"/>

2. Do you consider the document to be legally compliant in accordance with the Town and Country Planning (Local Planning) (England) Amendment Regulations 2012?

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W1G 0JD

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1. To which part of the New Southwark Plan does this representation relate to?

Implementation policy:	<input type="text"/>
Development Management policy:	<input type="text" value="P12"/>
Area Vision:	<input type="text"/>
Site Allocation:	<input type="text"/>
Proposal Map:	<input type="text"/>
Other:	<input type="text"/>

2. Do you consider the document to be legally compliant in accordance with the Town and Country Planning (Local Planning) (England) Amendment Regulations 2012?

- Yes
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3. Do you consider that the New Southwark Plan is Sound?

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4. Do you consider that the New Southwark Plan is unsound because it is not?

- Effective
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1. To which part of the New Southwark Plan does this representation relate to?

Implementation policy:	<input type="text"/>
Development Management policy:	<input type="text" value="P14"/>
Area Vision:	<input type="text"/>
Site Allocation:	<input type="text"/>
Proposal Map:	<input type="text"/>
Other:	<input type="text"/>

2. Do you consider the document to be legally compliant in accordance with the Town and Country Planning (Local Planning) (England) Amendment Regulations 2012?

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1. To which part of the New Southwark Plan does this representation relate to?

Implementation policy:	<input type="text"/>
Development Management policy:	<input type="text" value="P29"/>
Area Vision:	<input type="text"/>
Site Allocation:	<input type="text"/>
Proposal Map:	<input type="text"/>
Other:	<input type="text"/>

2. Do you consider the document to be legally compliant in accordance with the Town and Country Planning (Local Planning) (England) Amendment Regulations 2012?

- Yes
- No

3. Do you consider that the New Southwark Plan is Sound?

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- No

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Part D: Public Examination (required)

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First Name:

Last Name:

Organisation

(Where relevant):

Aviva Investors Pensions Limited & Galliard Homes Limited

Position

(Where relevant):

Address line 1:

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Part B: Representation

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1. To which part of the New Southwark Plan does this representation relate to?

Implementation policy:	<input type="text"/>
Development Management policy:	<input type="text" value="P30"/>
Area Vision:	<input type="text"/>
Site Allocation:	<input type="text"/>
Proposal Map:	<input type="text"/>
Other:	<input type="text"/>

2. Do you consider the document to be legally compliant in accordance with the Town and Country Planning (Local Planning) (England) Amendment Regulations 2012?

- Yes
- No

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- No

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Please see supporting statement

Part D: Public Examination (required)

If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

- No, I do not wish to participate at the oral examination
- Yes, I wish to participate at the oral examination

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- I confirm that all details provided are correct

Part E: Equalities monitoring

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New Southwark Plan Proposed Submission Version representations form

Part A: Contact details

If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in the next section.

1: Personal details

Title:

First Name:

Last Name:

Organisation

(Where relevant):

Aviva Investors Pensions Limited & Galliard Homes Limited

Position

(Where relevant):

Address line 1:

c/o agent

Address line 2:

Address line 3:

Postcode:

Email:

Telephone:

2. Agents details (if applicable)

Title:

First Name:

Last Name:

Organisation:

Savills (UK) Limited

Position:

Address line 1:

33 Margaret Street

Address line 2:

London

Address line 3:

Postcode:

W1G 0JD

Email:

Telephone:

Part B: Representation

Please select **one** policy per form to select which part of the plan you wish to make a representation on. The one option you select should be the item you should be commenting on in the subsequent boxes below. If you want to comment on more than one part of the plan, please submit part B again.

1. To which part of the New Southwark Plan does this representation relate to?

Implementation policy:	<input type="text"/>
Development Management policy:	<input type="text" value="P33"/>
Area Vision:	<input type="text"/>
Site Allocation:	<input type="text"/>
Proposal Map:	<input type="text"/>
Other:	<input type="text"/>

2. Do you consider the document to be legally compliant in accordance with the Town and Country Planning (Local Planning) (England) Amendment Regulations 2012?

- Yes
- No

3. Do you consider that the New Southwark Plan is Sound?

- Yes
- No

4. Do you consider that the New Southwark Plan is unsound because it is not?

- Effective
- Justified
- Consistent with national policy and the London Plan
- Positively prepared

5. Please give details of why you consider the New Southwark Plan not to be legally compliant or unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the New Southwark Plan, please also use this box to set out your comments.

Please see supporting statement

6. Please set out what change(s) you consider necessary to make the New Southwark Plan legally compliant or sound. You will need to say why this change will make the New Southwark Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible

Please see supporting statement

Part D: Public Examination (required)

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First Name:

Last Name:

Organisation

(Where relevant):

Aviva Investors Pensions Limited & Galliard Homes Limited

Position

(Where relevant):

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c/o agent

Address line 2:

Address line 3:

Postcode:

Email:

Telephone:

2. Agents details (if applicable)

Title:

First Name:

Last Name:

Organisation:

Savills (UK) Limited

Position:

Address line 1:

33 Margaret Street

Address line 2:

London

Address line 3:

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W1G 0JD

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Telephone:

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1. To which part of the New Southwark Plan does this representation relate to?

Implementation policy:	<input type="text"/>
Development Management policy:	<input type="text" value="P50"/>
Area Vision:	<input type="text"/>
Site Allocation:	<input type="text"/>
Proposal Map:	<input type="text"/>
Other:	<input type="text"/>

2. Do you consider the document to be legally compliant in accordance with the Town and Country Planning (Local Planning) (England) Amendment Regulations 2012?

Yes

No

3. Do you consider that the New Southwark Plan is Sound?

Yes

No

4. Do you consider that the New Southwark Plan is unsound because it is not?

Effective

Justified

Consistent with national policy and the London Plan

Positively prepared

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I confirm that all details provided are correct

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New Southwark Plan Proposed Submission Version representations form

Part A: Contact details

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1: Personal details

Title:	<input type="text"/>
First Name:	<input type="text"/>
Last Name:	<input type="text"/>
Organisation (Where relevant):	<input type="text" value="Aviva Investors Pensions Limited & Galliard Homes Limited"/>
Position (Where relevant):	<input type="text"/>
Address line 1:	<input type="text" value="c/o agent"/>
Address line 2:	<input type="text"/>
Address line 3:	<input type="text"/>
Postcode:	<input type="text"/>
Email:	<input type="text"/>
Telephone:	<input type="text"/>

2. Agents details (if applicable)

Title:	<input type="text" value="█"/>
First Name:	<input type="text" value="████████"/>
Last Name:	<input type="text" value="████"/>
Organisation:	<input type="text" value="Savills (UK) Limited"/>
Position:	<input type="text" value="████████"/>
Address line 1:	<input type="text" value="33 Margaret Street"/>
Address line 2:	<input type="text" value="London"/>
Address line 3:	<input type="text"/>
Postcode:	<input type="text" value="W1G 0JD"/>
Email:	<input type="text" value="████████████████████"/>
Telephone:	<input type="text" value="██████████"/>

Part B: Representation

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1. To which part of the New Southwark Plan does this representation relate to?

Implementation policy:	<input type="text"/>
Development Management policy:	<input type="text" value="P60"/>
Area Vision:	<input type="text"/>
Site Allocation:	<input type="text"/>
Proposal Map:	<input type="text"/>
Other:	<input type="text"/>

2. Do you consider the document to be legally compliant in accordance with the Town and Country Planning (Local Planning) (England) Amendment Regulations 2012?

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Area Vision:	<input type="text"/>
Site Allocation:	<input type="text"/>
Proposal Map:	<input type="text"/>
Other:	<input type="text" value="SP1"/>

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Address line 2:

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Area Vision:	<input type="text"/>
Site Allocation:	<input type="text"/>
Proposal Map:	<input type="text"/>
Other:	<input type="text" value="SP4"/>

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NEW SOUTHWARK PLAN (NSP) SUBMISSION VERSION

Bankside Residents Forum Address: The Community Space, 18 Great Guildford Street, London, SE1 0FD

I wish to take part at the oral examination/public hearings as Chair of Bankside Residents Forum

TOPIC Page no, Policy Number + Name	Test of Soundness	OBJECTION / TEST OF SOUNDNESS
Policy 1 Affordable Homes	This policy is unsound	<p>This policy is unsound because 35% affordable housing does not meet housing need in Southwark. The Council say the need is 48%, but then say 92% of households in Southwark have an income which requires some form of affordable housing. This is because the threshold to qualify for affordable housing is set at a household income of £90,000 which renders need and affordability meaningless.</p> <p>The policy is not 35% of all new housing but 35% of developments of 11 or more homes. The policy fails to provide information on what % of total new build will be affordable, but the small sites allocation of 800 homes per year (see draft London Plan 2017) suggests <u>the real policy figure will be under 30%</u>. The policy requirement of 25% social rented is subject to the same caveat as above, well under the stated need for 33% of <u>all new housing</u> as social rented.</p> <p>Confusion in the Reasons and Fact Box cast doubt on whether the Council intend to deliver 25% social rented homes. Social rent is relabelled as social housing, which in turn is sub-divided into affordable rent and London affordable rent (both at much higher rent levels) as well as social rent. This illuminates why the Council has consistently failed to achieve policy compliance on social rented housing.</p> <p>The transparency and deliverability of the policy is further undermined by too much emphasis (points 7 and 8) on developments achieving policy compliance even if they do not provide affordable housing on site. This policy creates no go areas for social rented housing, widening spatial inequality in the Borough and inconsistent with <u>Strategic Policy 2 Social Regeneration..</u></p>

		<p>The prominence given to viability is not qualified with the policy approach required by the Mayor of London, such as full public disclosure of all viability assessments (not only viability reviews) and access to expertise independent of the developer.</p> <p>To make the plan sound, the following changes are needed:</p> <ul style="list-style-type: none"> • Higher policy requirement for affordable housing in general and social rented housing in particular • The supporting text and Fact Box to be consistent with the social rented requirement to give confidence that the policy is deliverable. • Changes on small sites and viability to bring conformity with the draft London Plan
<p>P2 New Family Homes</p>	<p>This policy is unsound</p> <p>.</p>	<p>This policy is unsound as it defines family housing as including 2 bed homes, lacking conformity with the London Plan which says family housing generally has 3,4,5 or more bedrooms.</p> <p>The policy is not positively prepared as it only requires family homes in major developments, a term which is not explained, and the variations in family housing for central, urban and suburban zones gives policy support for widening spatial inequality. Fewer 3 bed + homes in the central zone and area action plans also means fewer social rented homes in these parts of the Borough.</p> <p>The policy does not address the evidenced need for 96% of social rented homes to be 3 bed +.</p> <p>To make the policy sound, table 2 should be deleted and replaced with a policy requirement that the aim is for family housing to be delivered in equal measure across the Borough. The target for 3 bed + homes should be tenure specific so as to meet need.</p>

<p>P3 Protection of Existing Homes</p>	<p>This policy is unsound</p>	<p>The policy is unsound because it does not consider the key planning objectives of a) retaining the existing stock of affordable/ social rented housing and b) bringing vacant properties into use, where possible as social rented housing. It is therefore inconsistent with current London Plan Policy 3.14 and draft London Plan 2017 Policy H10.</p> <p>Within the plan, there is inconsistency between this policy and SP2 which emphasises giving every community the opportunity to get their voices heard. There is huge disquiet across the Borough with the policy of estate demolitions, but these voices are not being heard or responded to.</p> <p>To make the <u>policy sound</u>, Southwark needs to make use of all the tools that are available to protect and increase social rented housing across the Borough. These should include:</p> <ul style="list-style-type: none"> • Independent analysis of all estate regeneration options, including refurbishment, with a <i>binding ballot</i> of tenants and leaseholders to decide what regeneration programme goes forward, • A <i>social impact assessment</i> so that social, health and wellbeing indicators are incorporated into decision making around regeneration schemes, • Any <i>replacement of social rented housing</i> should be carried out on the basis of like for like in terms of tenure, rental cost and size.
<p>P4 Private Rented Homes</p>	<p>This policy is unsound</p>	<p>It is <u>unsound</u> to apply the 35% affordable housing requirement differently to private rented homes. In Policy P4, affordable housing only applies to schemes providing more than 100 homes and there is the option to provide only 12% of homes at social rent equivalent and 23% as intermediate homes (reversing the proportion in Policy P1). Consideration of actual planning applications shows that social rent equivalent schemes can be £160, £175 and £190 for 1,2 and 3 bed homes respectively compared with target social rents of £97, £111, and £ 124. Social rent equivalents would also only have 3 year tenancies.</p> <p>The introduction in Policy P4 of a new rent product called <u>discount market rent</u> further confuses and dilutes the need for genuine social rent homes. No evidence is presented about how large scale private rented sector developments meet housing needs when their offer is inferior to conventional housing schemes.</p>

		<p>To make this policy sound, the affordable housing offer provided by private rented schemes must be the same as required under Policy P1. The entire Policy P4 must apply to <u>all</u> new private rented housing so that improvements in conditions for private renters, such as longer -term tenancies, benefit everyone.</p>
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NEW SOUTHWARK PLAN (NSP) SUBMISSION VERSION

██████████ Bankside Residents Forum Address: The Community Space, 18 Great Guildford Street, London, SE1 0FD

██████████ ██████████
I wish to take part at the oral examination/public hearings as Chair of Bankside Residents Forum

TOPIC Page no, Policy Number + Name	Test of Soundness	OBJECTION / TEST OF SOUNDNESS
P6 Homes for Households with Specialist Needs	This policy is unsound	<p>This policy is unsound on accessibility issues because all other new build housing must meet requirement M4(2) for accessible and adaptable dwellings. The policy cannot limit itself to 10% of homes dedicated to wheelchair users. Older people must have the choice of remaining in their own homes as their needs change in the future, rather than moving due to inaccessible accommodation.</p> <p>To ensure wheelchair users have choice within a development, the requirement for wheelchair user dwellings must apply to all tenures and the wheelchair user dwellings distributed to provide a range of floor level locations, views and unit sizes.</p> <p>We support at least 10% of housing meeting M4(3) and the design and access standards in table 5. However, to be sound the wording in the policy must make clear that step free access in the dwelling (lifts) will be provided.</p> <p>The policy is also unsound in not including other households with specialist needs. In particular, it fails to either protect existing Gypsy and Traveller sites or plan to meet the need for more Gypsy and Traveller pitches. The Local Authority has failed to carry out a Gypsy and Traveller needs assessment, when this should have been an evidence base document for the Local Plan. The claim from the Local Authority that Gypsy and Traveller needs do not have a place in the Local Plan, because they can be dealt with in a separate document, is discriminatory.</p>

		<p>To make the Local Plan sound, it must actively protect existing Gypsy and Traveller sites. It must adopt the new definition for Gypsies and Travellers in the draft London Plan 2017, and use as a Borough target for pitches the midpoint figure of need in Table 3 of the GLA Gypsy and Traveller Accommodation Topic Paper 2017.</p>
P8 Supported Housing and Hostels	This policy is unsound	<p>This policy is unsound because it only refers to hostels, sets out criteria 2.1-2.3 that are discriminatory (instead of bringing agencies and residents together) and fails to provide evidence on supported housing needs in Southwark.</p> <p>To make this policy sound, it needs to include move on accommodation and accommodation for young people, rough sleepers, victims of domestic abuse, people with mental health issues, those discharged from hospital with support needs, those leaving prison.</p> <p>The policy should commit to undertake assessments of the short term and long term needs for supported housing, auditing existing provision, identifying shortages in capacity and then planning to meet this need.</p>
P9 Optimising Delivery of New Homes	This policy is unsound	<p>The policy is unsound as it fails to balance the delivery of new housing with local character, social infrastructure and green infrastructure. Table 6 and Figure 2 over-develop North Southwark whilst protecting South Southwark thereby increasing the spatial inequality in the Borough</p> <p>To make the Plan sound, the policy must include details from Lifetime Neighbourhood's Policy 7.1 of the current London Plan. This ensures that new developments build on rather than eradicate the existing qualities and diversity of Southwark's neighbourhoods. It develops inclusive and sustainable communities in which local employment, social and community facilities, parks and open spaces, local services and a wide range of homes are affordable and accessible to everyone. These criteria should be applied equally to residential neighbourhoods in the North and South of the Borough.</p>

<p>P10 Self and Custom Build</p>	<p>This policy is unsound</p>	<p>This policy is unsound because it places restrictions on self-build and custom build which undermine the potential of this policy to empower local communities. The barriers of providing evidence of financial resources and making efficient use of land and appropriate density (all undefined and unevidenced) should be deleted. Neither criteria are included in the London Plan.</p> <p>To be sound the principles in SP2 Social Regeneration require a package of support being identified that will empower communities and make this community form of housing deliverable. This could include working with the Mayor to provide access to expertise, partnering with smaller housing associations, the Local Authority arranging the appropriate checks on land and ensuring the register is fully accessible to community builders, neighbourhood forums and other community interests. In accordance with the draft London Plan 2017 Policy H2 Small sites, the definition should be widened to include all community forms of housing (housing co-ops, co-housing, Community Land Trusts).</p>
<p>P11: Design of places 37</p>	<p>This policy is not sound</p>	<p>This policy is not sound. Placemaking can take time and effort, while developers simply want to build and see a return on investment. The bullet points in this policy while commendable as part of a toolkit for developers, do not necessarily carry much weight in the design of places, nor do they make the policy sound when it comes to making planning decisions. Given the plethora of decisions resulting buildings that are out of character with their site locations, such a policy needs to learn from the lessons of countless examples of developments that have created wind shear, over shadowing, light reduction, actually reduced permeability, and created congestion.</p> <p>We would have like to have seen more emphasis on existing borough strategy documents such as the Bankside Urban Forest Framework, and how the local authority will encourage developers and their architects to implement the Mayor's six pillars of the <i>Good Growth by Design</i> programme:</p> <p>1 SETTING STANDARDS</p>

		<p>Using design inquiries to investigate key issues for architecture, urban design and place-shaping, in order to set clear policies and standards.</p> <p>2 APPLYING THE STANDARDS Ensuring effective design review</p> <p>3 BUILDING CAPACITY The boroughs' ability to shape new development to deliver good growth.</p> <p>4 SUPPORTING DIVERSITY Working towards a more representative sector and striving for best practice while designing for diversity.</p> <p>5 COMMISSIONING QUALITY Ensuring excellence in how public sector clients appoint and manage architects and other built environment professionals.</p> <p>6 CHAMPIONING GOOD GROWTH BY DESIGN Advocating best practice to support success across the sector.</p>
<p>P12: Design quality 38</p>	<p>This policy is not positively prepared</p>	<p>This policy is not positively prepared. We would have like to see an emphasis not just on the provisions placed on developments, but on how such design qualities complements and fits in to the spatial planning needs of an area.</p> <p>Again, we would have like to have seen more emphasis on how the local authority will encourage developers and their architects to implement the Mayor's six pillars of the <i>Good Growth by Design</i> programme:</p> <p>1 SETTING STANDARDS Using design inquiries to investigate key issues for architecture, urban design and place-shaping, in</p>

		<p>order to set clear policies and standards.</p> <p>2 APPLYING THE STANDARDS Ensuring effective design review</p> <p>3 BUILDING CAPACITY The boroughs' ability to shape new development to deliver good growth.</p> <p>4 SUPPORTING DIVERSITY Working towards a more representative sector and striving for best practice while designing for diversity.</p> <p>5 COMMISSIONING QUALITY Ensuring excellence in how public sector clients appoint and manage architects and other built environment professionals.</p> <p>6 CHAMPIONING GOOD GROWTH BY DESIGN Advocating best practice to support success across the sector.</p> <p>Where P12 states that there are many provisions a development needs to show that it has design quality, there is no actual guidance on how to actually achieve such design quality, even though similar guidance has just been produced around <i>Southwark's Streetscape Design</i>.</p>
<p>P14: Tall buildings 42</p>	<p>Not Justified</p>	<p>This policy is not justified as it:</p> <ul style="list-style-type: none"> • Involves a significant policy change on tall buildings with no new evidence to support the change (last research paper was March 2010). • The policy change renders all Area Visions meaningless as locations proposed for Tall Buildings are no longer identified. • Fails to take account of responses identified in the Consultation Report (pages 31-32) that stated specific locations for tall buildings needed defining in the NSP.

	<p>Not Consistent with National Planning Policy</p>	<p>This policy is not sound because it is not consistent with:</p> <p><u>A/ The Mayor’s Current London Plan (2016), through failure to comply with:</u></p> <ul style="list-style-type: none"> • “Tall and large buildings should be part of a plan-led approach to changing or developing an area by the identification of appropriate, sensitive and inappropriate locations”. • “Boroughs should work with the Mayor to consider which areas are appropriate, sensitive or inappropriate for tall and large buildings and identify them in their Local Development Frameworks”. <p><u>B/ The Mayor’s New Draft London Plan, through failure to comply with:</u></p> <ul style="list-style-type: none"> • “Development Plans should define what is considered a tall building, the height of which may vary in different parts of London”. • “Tall buildings should be part of a plan-led approach to changing or developing an area. Boroughs should identify on maps in development plans the locations where tall buildings will be an appropriate form of development in principle and should indicate the general building heights that would be appropriate”. • “Ensure appropriate management and maintenance arrangements are in place for the public realm, which maximise public access and minimise rules governing the space to those required for its safe management in accordance with the Public London Charter”. <p><u>C/ National Planning Policy Framework, through failure to comply with:</u></p> <p>the need for “early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses” so that Local Plans reflect a “collective vision”.</p>
	<p>Not Positively prepared</p>	<p>This policy is not positively prepared as some aspects of the policy are vague or unclear:</p> <ul style="list-style-type: none"> • Not setting out the approach or criteria to determine planning applications. • Not stating there has been a significant policy change which means tall buildings may now be permitted anywhere in the borough. • Not determining what is “a point of townscape significance” or what is “proportionate” in making decisions. • Not defining what a tall building is and not clarifying what “significantly taller than their surroundings” means.

<p>Suggested changes to P14</p>	<p>Not Positively prepared</p>	<ul style="list-style-type: none"> • Not explaining what “new publicly accessible space at the top of the building” refers to. <p>This policy is not positively prepared as some aspects of the policy are vague or unclear on the topic of massing:</p> <p>Aside for reducing energy use and enabling passive design strategies, successful massing and orientation can take advantage of site conditions, such as rainwater harvesting, and can help the building contribute to the health and vitality of the surrounding ecological, social, and economic communities. For instance, it can be massed and oriented to connect its social spaces with street life, or avoid shading nearby wild lands, or could steer foot traffic away from ecologically sensitive areas. These issues are not covered by the policy and yet the impacts of poor massing can be seen on over three developments in Bankside that have been built this last year.</p>
	<p>Not Justified</p>	<p>The claim that the local authority have consistently had a clear criteria to determine applications is not justified, and could challenged not to be consistent with national policy, given past decisions and poor resulting buildings that are out of character with their site locations. Such tall buildings have also created wind shear, over shadowing, and solar glare that have affected neighbouring properties.</p>
	<p>Not Effective</p>	<p>This policy is not effective as it</p> <ul style="list-style-type: none"> • Does not demonstrate how it will measure the increase in the activities and life opportunities on offer for nearby residents. • Is unclear how it can deliver the identified net increase of affordable housing by 799 homes per year. • Gives insufficient consideration to other more effective ways of combatting the housing need without introducing negative effects of tall buildings. <p>To make the policy sound, the NSP should</p> <ul style="list-style-type: none"> • Identify specific sites in the borough where tall buildings are appropriate, these locations to be identified on area vision maps and within site allocations; and indicative heights should be given.

		<p>These locations and indicative heights should be put out for consultation with local residents and businesses.</p> <ul style="list-style-type: none"> • Make clear that tall buildings will be considered inappropriate in all other locations. • Clarify all vague or unspecified sections, including <ul style="list-style-type: none"> • Policy 2.11 reflecting 3.8.4 of the New Draft London Plan and confirm that the space will be truly publicly accessible, for example through a free viewing gallery. • References to “criteria” should make clear exactly what those criteria are. • A clearer definition of tall buildings to be provided, as indicated by New Draft London Plan Policy D8 part A.
P15: Efficient use of land 43	Not positively prepared	<p>The inclusion of meanwhile uses shows that the P15 has not been positively prepared. Meanwhile uses while they can offer community benefits and not compromise a sites future redevelopment does not mean that they can still be inappropriate. Uses of land for say A3 and A4 classes often bring with them anti-social behavior or impact on neighbourhood in a detrimental way.</p> <p>The reasons provided in P15 bullet 2 do not in any way relate to the environment of Bankside, nor would the neighbourhood lose any of its vitality. There is a need to clarify this vague bullet point.</p>

		people and organisations knowledgeable about that industrial sector.
P17, pages 44-45 Conservation areas	Not Effective	<p>The policy is not effective because of conflicting NSP policy that seeks high density residential developments.</p> <p>Currently Conservation Area Appraisals are being ignored when planning applications come up in Conservation Areas, because the pressure to build residential accommodation, even when unaffordable, seems to override. There is nothing new in this policy that would change this status quo. The result of this conflict is that permission is being given for buildings that are out of scale in height and mass with the Conservation Area, eroding its settings, views and compromising historic character and distinctiveness.</p> <p>Some solution needs to be found to this if this policy P17 is to be made effective and sound. One way for example might be to add something on the following lines.</p> <p>3.2 When any developments are proposed that breach the prevailing heights, mass and density in a Conservation Area, this should be subject to additional public consultation before any such developments can be determined.</p>
P18, page 45 Conservation of the historic environment and natural heritage	Not Effective	<p>The policy is not effective because it is inconsistent with national policy in the NPPF which includes heritage assets included on the Local List. It fails to explain how without a Local List, unlisted buildings and heritage assets will be protected and enhanced by new development, and so not able to achieve its aim.</p> <p>The policy recognises the existence of conservation and heritage assets that are not protected under the Planning (Listed Buildings and Conservation Areas) Act 1990 but does not provide for a Local List which is the nationally recognised method for giving them protection. These quotes are from Historic England : https://historicengland.org.uk/listing/what-is-designation/local/local-designations</p> <p><i>“Local lists play an essential role in building and reinforcing a sense of local character and</i></p>

	<p><i>distinctiveness in the historic environment. Local lists can be used to identify significant local heritage assets to support the development of Local Plans. Encouraging the use of local lists will strengthen the role of local heritage assets as a material consideration in the planning process...</i></p> <p><i>“Moreover Local Lists are usually made very effectively in partnership with local residents through occasional appraisal and/or a nomination system which recognises and takes advantage of local residents’ knowledge, and highlights community value assets. This is invaluable in engaging the local community in the effective conservation of their neighbourhood’s heritage. “</i></p> <p><i>“At its heart, local listing provides an opportunity for communities to have their views on local heritage heard. It recognises that the importance we place on the historic environment extends beyond the confines of the planning system to recognise those community-based values that contribute to our sense of place.</i></p> <p>This was recognised in earlier planning policy documents:</p> <ul style="list-style-type: none"> * The adopted version of the Elephant & Castle SPD from March 2012 states (4.5.12) that "We (Southwark) will be consulting on our local list in summer 2012. The local list will be established through that process". * The Peckham and Nunhead AAP 4.7.12 (2014) states “... we have also identified buildings which are worthy of being added to the council’s local list. The local list identifies buildings and structures with local value which make a positive contribution to character or appearance due to Buildings on the local list in Peckham & Nunhead include” The Fact Box Page 98 refers to the NPPF definition of heritage assets including locally listed buildings, and gives English Heritage good practice guidance on the criteria to use to identify buildings and other objects for the Southwark ‘Local List’. * The NSP Options version from October 2014, Draft Policies and area visions states – “DM55 Local list buildings and views: Southwark will have a list of locally important buildings, structures and views that positively contribute to local character and amenity.
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		<p>DM55.1 Development must take these locally important buildings, structures and views into account. Reasons: Locally important buildings and views make a positive contribution to local character and distinctiveness, but they do not benefit from a statutory designation. We will prepare a list of locally important buildings and views, and the criteria for their selection as part of a Heritage SPD.”</p> <p>There has been no explanation why the provision for a Local List does not appear in the NSP submission version.</p> <p>This policy could be made sound by including in it two additional points to achieve the following:</p> <ol style="list-style-type: none"> 2. Unlisted buildings of townscape merit and undesignated heritage assets identified and gathered in a Local List and allowed the same protection as listed buildings and/or conservation areas. 3. A community engagement policy developed to encourage local neighbourhoods to develop a local process with an existing community group or a new group to nominate buildings for the Local List.
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		<p>enhance the juxtaposition of townscape elements with the riverbanks and the depth and variety of the surrounding London townscape. Interventions into the built fabric should preserve or, where possible, enhance this relationship. Development in the foreground or middle ground that is overly intrusive, unsightly or prominent to the detriment of the view as a whole should be refused.</p> <p>3.6 Some River Prospects include views of the Tower of London World Heritage Site. New development in the background of a River Prospect should, where relevant, preserve or enhance a viewer's ability to appreciate the Outstanding Universal Value of a World Heritage Site and should be consistent with the objectives of the World Heritage Site Management Plan.</p>
<p>P22: River Thames 50</p>	<p>Not positively prepared</p>	<p>We are all only custodians of the river! Given recent campaigns regarding the Garden Bridge proposal and the strong local opposition to extending development or buildings over the river there is a need to revisit this policy to ensure it is positively prepared which it isn't at the moment.</p> <p>Although this is unlikely we would like to see the river designated as an Ancient Schedule Monumnet or Grade 1 listed for the following reasons proived by experts on the Thames.</p> <p><i>The relationship between the people living on the south bank of the Thames in the City reaches and the river itself is very strong, and can be seen over the past 10,000yrs in one form or another. The environmental excavation undertaken during the TfL Jubilee line extension project has shown that during the Mesolithic period the path of the main Thames channel ran south of the current position in this area (Sidell J., Wilkinson K., Scaife R. & Cameron N. 2000 The Holocene Evolution of the London Thames. London, MoLAS Monograph 5).</i></p> <p><i>However, a series of eyots along the current south side of the river have shown evidence of human presence in this period at sites in Hopton St and Guy's Hospital (Bates & Whittaker 2004 66-70). There has also been a number of Thames picks recovered from the foreshore at Winchester Wharf (between London and Cannon St bridges).</i></p>

In the Neolithic period, it is likely that the current main channel was beginning to be delineated and forestation established. Mixed woodland on the foreshore at Winchester Wharf has been dated to the early Neolithic period and a number of flint tools have been recovered from both zones. Hopton St and Guy's Hospital again produced evidence of sites on eyot edges adjacent to streams of flints, pottery, ard marks, post- and stake-holes. The ard marks indicate the use of the eyots for agriculture, utilising the nutrient-rich silts from the river. Possible structures in the peat beds at Winchester Wharf suggest the use of trackways along what is now the foreshore from this period and a cut piece of timber found in the peat bed in the same location show the populace utilising resources adjacent to the river channel.

In the Bronze Age, agriculture was even more evident with a series of sites exhibiting ard marks on eyots from Blackfriars Bridge down to London Bridge and beyond. Other Bronze Age evidence suggests the use of the possible salt marsh for cattle in the area near to Hopton St in the form of trackways or bridge-type structures. On the foreshore near Blackfriars Bridge a piece of LBA pottery was recovered very recently (identified by Lynn Blackmoor, MOLA) which maybe the beginning of further evidence as yet buried.

During the Roman period, the link with the river was even stronger. Ivor Noel Hume drew a plan of finds from the foreshore between London and Cannon St bridges, showing a large amount of Roman material (including 'mosaic pavements') on the foreshore. Two other items strengthen this tie – an intaglio found on the foreshore at Winchester Wharf with a rare depiction of a vessel with rowers (possibly an indicator of the presence of the Classis Britannica here in the Thames estuary) and also the footings of a jetty, dated to the Roman period near to St Mary Overie dock. This latter is probably the only waterfront structure from this period still with its toes in the Thames.

Clearly in the Anglo-Saxon and Norman periods, the use of the river for its resources was paramount (a possible fishtrap, now eroded, from this period has been recorded at FSW11). In the Medieval period, there were many stairs creating an easy access to the water along the river frontage, the remains of which may be found at Winchester Wharf. Pottery on the foreshore from all periods have linked the area to the Thames – a tin-glazed ware kiln can be found at Southwark Cathedral and saggars from there at FSW11.

		<i>In spite of the dominant City and Corporation on the northern bank, Bankside and its vibrant community have always been tied into the Thames.</i>
P24: Student homes 52		<p>NB</p> <p>Due to circumstances beyond our control as it was envisaged that the deadline for submission would obviously be the last day of the month the 28th February 2018, rather than the actual date of the 27th February. There are a number of responses that will not therefore be submitted until after the closing date. We hope that the local authority will however appreciate and support us by ensuring these additional comments are submitted as evidence for the examination and Inspector's consideration.</p>

NEW SOUTHWARK PLAN (NSP) SUBMISSION VERSION

██████████ Bankside Residents Forum Address: The Community Space, 18 Great Guildford Street, London, SE1 0FD

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I wish to take part at the oral examination/public hearings as Chair of Bankside Residents Forum

TOPIC Page no, Policy Number + Name	Test of Soundness	OBJECTION / TEST OF SOUNDNESS
P26: Office and business development 54		<p>NB</p> <p>Due to circumstances beyond our control as it was envisaged that the deadline for submission would obviously be the last day of the month the 28th February 2018, rather than the actual date of the 27th February. There are a number of responses that will not therefore be submitted until after the closing date. We hope that the local authority will however appreciate and support us by ensuring these additional comments are submitted as evidence for the examination and Inspector's consideration.</p>
P27: Railway arches 55	Not justified, not positively prepared	<p>NB</p> <p>Due to circumstances beyond our control as it was envisaged that the deadline for submission would obviously be the last day of the month the 28th February 2018, rather than the actual date of the 27th February. There are a number of responses that will not therefore be submitted until after the closing date. We hope that the local authority will however appreciate and support us by ensuring these additional comments are submitted as evidence for the examination and Inspector's consideration.</p>
P28: Small and independent businesses 56	Not justified, not positively prepared	<p>NB</p> <p>Due to circumstances beyond our control as it was envisaged that the deadline for submission would obviously be the last day of the month the 28th February 2018, rather than the actual date of the 27th February. There are a number of responses that will not therefore be submitted until after the closing date. We hope that the local authority will however appreciate and support us by ensuring these additional comments are submitted as evidence for the examination and Inspector's consideration.</p>

P29: Small shops 57	Not justified, not positively prepared	Without a robust Retail Capacity Study, this policy is both not justified nor positively prepared.
P30: Town and local centres 58	Not justified, not positively prepared	Without a robust Retail Capacity Study, this policy is both not justified nor positively prepared.
P32: Protected shopping frontages 60	Not justified, not positively prepared	Without a robust Retail Capacity Study, this policy is both not justified nor positively prepared.
P33: Shops outside protected shopping frontages, town and local centres 61	Not justified, not positively prepared	Without a robust Retail Capacity Study, this policy is both not justified nor positively prepared.
P36: Hotels and other visitor accommodation 63		NB Due to circumstances beyond our control as it was envisaged that the deadline for submission would obviously be the last day of the month the 28th February 2018, rather than the actual date of the 27th February. There are a number of responses that will not therefore be submitted until after the closing date. We hope that the local authority will however appreciate and support us by ensuring these additional comments are submitted as evidence for the examination and Inspector's consideration.
P39: Access to employment and training 65		NB Due to circumstances beyond our control as it was envisaged that the deadline for submission would obviously be the last day of the month the 28th February 2018, rather than the actual date of the 27th

		<p>February. There are a number of responses that will not therefore be submitted until after the closing date. We hope that the local authority will however appreciate and support us by ensuring these additional comments are submitted as evidence for the examination and Inspector's consideration.</p>
<p>P40: Outdoor advertisements and signage 66</p>		<p>NB</p> <p>Due to circumstances beyond our control as it was envisaged that the deadline for submission would obviously be the last day of the month the 28th February 2018, rather than the actual date of the 27th February. There are a number of responses that will not therefore be submitted until after the closing date. We hope that the local authority will however appreciate and support us by ensuring these additional comments are submitted as evidence for the examination and Inspector's consideration.</p>

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TOPIC Page no, Policy Number + Name	Test of Soundness	OBJECTION / TEST OF SOUNDNESS
P42: Healthy developments 68		<p>NB</p> <p>Due to circumstances beyond our control as it was envisaged that the deadline for submission would obviously be the last day of the month the 28th February 2018, rather than the actual date of the 27th February. There are a number of responses that will not therefore be submitted until after the closing date. We hope that the local authority will however appreciate and support us by ensuring these additional comments are submitted as evidence for the examination and Inspector's consideration.</p>
P43: Leisure, arts and culture 68	Not effective	<p>Clearly both P43 and supporting strategy is weak on specifics and yet will often be used as a material consideration when <i>a planning decision is made</i>. <i>This policy is not effective because it over relies on the evidence provide in 'Creative Southwark' the cultural strategy 2017-2022.</i></p> <p>The policy makes no mention of the cultural aspects of the streets such as the railway and advertising heritage, how public art which can enhance an environment also needs to be a) sustainably managed (e.g. Monument to the Unknown Artist outside Bankside Mix) , and b) not used to as is the case of Neo Bankside's Tempesta as a form of gate to a site through which there is public access as a condition.</p> <p>There is no mention of :</p> <ul style="list-style-type: none"> • the role small museums such as the Kilkaldy Testing Centre, the Old Operating theatre, and The Rose Theatre play, • how to protect and enhance vibrant theatre companies who have in the past been under threat due to gentrification,

		<ul style="list-style-type: none"> • the contributions and benefits of future developments creating impromptu or gallery spaces like Southwark Cathedral’s Refectory , the Bargehouse, or the White Cube. <p>P43 and its supporting evidence plays down the role Southwark’s planning decisions can have on the future of the creative industries as an the Jerwood Space one of London’s leading rehearsal spaces often champions the need for more rehearsal space not just for theatre, but music and film.</p> <p>While P43 recogniizes the challenges, it does not provide solutions in terms of how planning decisions can be detrimental as well as influence, protect and support the leisure, arts, and cultural sectors. Glib mentions of tourism and the lack of understanding by planners on the impacts of being an international world art destination simply highlights how little thought has gone into this policy. Every tourist needs to get from A to B. That fact generates the need for careful consideration on virtually every policy from P12 through to P69.</p>
<p>P49: Low Line routes 74</p>		<p>NB</p> <p>Due to circumstances beyond our control as it was envisaged that the deadline for submission would obviously be the last day of the month the 28th February 2018, rather than the actual date of the 27th February. There are a number of responses that will not therefore be submitted until after the closing date. We hope that the local authority will however appreciate and support us by ensuring these additional comments are submitted as evidence for the examination and Inspector’s consideration.</p>

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TOPIC Page no, Policy Number + Name	Test of Soundness	OBJECTION / TEST OF SOUNDNESS
P54: Protection of amenity 78	Not Effective	Some solution needs to be found to this if this policy P17 is to be made effective and sound as it is clearly ambiguous as to what the definition is of a pleasant environment.
P56: Open space 79	The policy is not sound Inconsistent with Mayor of London's London Plan	<p>The NSP policy Strategic Priority 6 is unsound because it is not consistent with the Policy 56 Open Space.</p> <p>SP6 stated objective is to protect and improve open space. This strategic goal should be clearly stated at the in the first sentence and consistently applied through the detailed cleaner, greener, safer policies. The wording of the Strategic Policy and subsequent policies needs to be strengthened to ensure that the plan is effective.</p> <p>Proposed change The wording of the Strategic Policy should reinforce the importance of greenspace for people and nature, and might be something like, "We will lead the way in [inserted text: providing space for people to reconnect with nature], making people feel safe, creating cleaner streets, increasing recycling and reducing landfill waste."</p> <p>The NSP Policy P56 Open Space is unsound because it is inconsistent with the draft London Plan and internally inconsistent</p> <p>It is inconsistent with the London Plan because the London Plan's sections on green and open space</p>

	<p>Not effective</p> <p>Not Justified</p> <p>Not effective</p>	<p>Only two of the site allocations (NSP75 and NSP78) refer to improvements to the public realm; the amount of space to be allocated for this use is not specified.</p> <p>In the case of Bankside and Borough, where the Area Vision proposes to, <i>“Increase or improve the number and quality of local open spaces, squares and public realm”</i>, only 5.2% of the total site allocations is destined for the provision of open or greenspace (3,151m2).</p> <p>There is no evidence that the Council has calculated the amount of new greenspace needed to provide adequately for the growing population, taking account of requirements of different ages within the population. If mentioned at all, green and open space seemed to be squeezed into new developments, often in inappropriate locations (e.g. children’s play areas on roof areas of residential developments.)</p> <p>The Council should show the numbers of new residents planned in each area and the amount of green and open space provision, both in terms of area to be provided (in m2) and the nature of the provision.</p> <p>Some area plans have numbers of housing units to be provided per site. This information is not in the NSP site allocations. The Council should provide this information in a transparent manner and keep an on-going record of numbers of housing units created, to ensure that adequate open greenspace is provided in relation to new development.</p> <p>The NSP is unsound because it is ineffective in addressing health and wellbeing needs of its residents.</p> <p>Green and open space is valued in its own right and as a factor contributing to the health and wellbeing of the borough’s residents. However, the NSP fails to provide significant additional green and open space to meet the needs of existing residents in areas acknowledged to be in deficit.</p> <p>Where areas have a greenspace deficit (as set out in Southwark’s Open Space Strategy) this should be identified in the relevant Area Vision along with a commitment to address the deficit.</p> <p>The NSP does not set out how it will monitor the provision of new green and open space as part of developments to ensure that this keeps pace with the numbers of new residents coming into the</p>
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	<p>borough to occupy the housing being built. This means that there is likely to be insufficient green infrastructure to enable people to exercise and lead healthy lives.</p> <p>Proposed change: Introduce a sentence to establish that greenspace will be improved and extended to meet the needs of Southwark's growing population. State how the numbers of new people moving into new residential developments will be monitored and action taken to provide additional greenspace to address historic deficiencies and meet the needs of new residents.</p> <p>Introduce a sentence to establish that greenspace will be improved and extended to meet the needs of Southwark's growing population.</p> <p>* MOL = Metropolitan Open Land; BOL = Borough Open Land; OOL = Other Open Land</p> <p>The NSP is unsound because ancillary facilities should positively contribute to both openness and character of the open space. Ancillary facilities need to be of the highest standard to deliver the intensive use in a dense urban environment with limited green space and facilities. Areas of Southwark in the north and central wards are in areas of green space deficit.</p> <p>Any ancillary facilities proposed for green spaces in the north and centre of the borough must minimise the size of the building footprint on the green open space in order to retain limited green space.</p> <p>The proposed wording amend is to ensure that consideration is given to openness AND character.</p> <p>Proposed wording: ... if it does not affect its openness nor detract from its character.</p> <p>The NSP is unsound because it does not provide for replacement Other Open Space of both equivalent</p>
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		<p>size and substantially better quality.</p> <p>Replacement green space should be of a greater size and better environmental quality. This would support the new draft London Plan 2017 objective to increase green space in London and increase green space in Southwark as an area of deficit.</p>
P58: Green infrastructure 82		<p>The NSP is unsound because there is no definition of major developments or large scale major development.</p> <p>Without definitions it is not possible to ensure that planning applications make sufficient provision for greenspace either on the development site or as a contribution to other sites.</p> <p>Definition - There is inadequate definition of the development size described as major developments and large scale major development. Definitions could be linked to geographical size of area and density of proposed new development.</p> <p>Stewardship and maintenance funding - The additionality of green space and future management must be agreed via suitable planning legal agreements. Otherwise there is no follow through or legal grounds to take action on the planning requirements if not complied with.</p> <p>Green infrastructure – This will include green roofs and walls and will not be areas accessible by people. Benefits for health and wildlife should also include benefits for play and access for people and mobility.</p> <p>There are also long-term implication of installing and maintaining new green infrastructure that needs to be taken into account from the very start of any development proposal.</p>
P59: Biodiversity 83		<p>This policy is not sound because it is not consistent with the current London Plan’s guidance on plan preparation as part of Policy 7.19 Biodiversity and access to nature which stated that Boroughs should:</p> <p>a use the procedures in the Mayor’s Biodiversity Strategy to identify and secure the appropriate management of sites of borough and local importance for nature conservation in consultation with the</p>

		<p>London Wildlife Sites Board.</p> <p>b identify areas deficient in accessible wildlife sites and seek opportunities to address them</p> <p>c include policies and proposals for the protection of protected/priority species and habitats and the enhancement of their populations and their extent via appropriate BAP targets</p> <p>d ensure sites of European or National Nature Conservation Importance are clearly identified.</p> <p>e identify and protect and enhance corridors of movement, such as green corridors, that are of strategic importance in enabling species to colonise, re-colonise and move between sites</p>
P67: Reducing noise pollution and enhancing soundscapes 91	This policy is unsound	This policy is unsound because it as it makes no mention of noise pollution from unwanted street noise such as taxi ranks, late-night venues and routes home, or out of hour deliveries. P67 also does not highlight that often noise pollution can be attributed to a buildings ancillary equipment such as air conditioning units.
P69: Reducing flood risk 92	Not Consistent	<p>Policy 69 is not consistent with Policy 58 on Reducing flood risk.</p> <p>SP6 stated objective is to use urban greening to reduce flood risk. This strategic goal should be applied more strongly to ensure that Policy 58 on major developments provides for green space which is used strategically to tackle flood risk as well as green infrastructure.</p>

NEW SOUTHWARK PLAN (NSP) SUBMISSION VERSION

██████████ Bankside Residents Forum Address: The Community Space, 18 Great Guildford Street, London, SE1 0FD

██████████ ██████████
I wish to take part at the oral examination/public hearings as Chair of Bankside Residents Forum

TOPIC Page no, Policy Number + Name	Test of Soundness	OBJECTION / TEST OF SOUNDNESS
Supporting Statement		<p>We would like to draw the Inspectors attention to the fact the the Statement of Community Inveolvement was drafted in 2008 and is still considered robust enough to submitted by the local authority as evidence. We however, would highlight that a range of consultees are not listed in Appendix E. Consultees not directly listed include to name just a few:</p> <p>Bankside Residents Forum Better Bankside Team London Bridge BARD Borough Market Trustees BROAD Falcon Point TMO Benbow House Clink Street Residents Neo Bankside Residents Peabody Southwark Street Redwood Housing Coop</p> <p>NB</p>

		<p>Due to circumstances beyond our control as it was envisaged that the deadline for submission would obviously be the last day of the month the 28th February 2018, rather than the actual date of the 27th February. There are a number of responses that will not therefore be submitted until after the closing date. We hope that the local authority will however appreciate and support us by ensuring these additional comments are submitted as evidence for the examination and Inspector's consideration.</p>
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<p>Borough and Bankside Area Vision</p>	<p>Not positively prepared</p>	<p>The Area Vision under AV01.1 describes Borough High Street as a place local people enjoy local shops. Given the basic fact that four independent destination shops have been lost due to a forthcoming development scheme, and that the rest of the street is a plethora of fast food and express stores we feel this is a bold statement to make.</p> <p>Under AV01.2 Local people would take exception at the phrase <i>“which in many places includes residential communities.”</i> There is not one street within the Borough and Bankside area where the isn’t a residential community.</p> <p>AV01.3 The statement made is ambiguous and pointless.</p>
<p>Borough and Bankside Site Allocation</p>	<p>Not sound</p>	<p>Of the nine key development opportunity sites in Bankside and The Borough listed three have been approved, and a further one could be consider outside of Bankside and The Borough. Due to circumstances beyond our control as it was envisaged that the deadline for submission would obviously be the last day of the month the 28th February 2018, rather than the actual date of the 27th February. There are a number of responses that will not therefore be submitted until after the closing date. We hope that the local authority will however appreciate and support us by ensuring these additional comments are submitted as evidence for the examination and Inspector’s consideration.</p> <p>We would however like to ask the inspector to rasioe the matter with officers as to why the following key development opportunity sites in Bankside and The Borough were not listed:</p> <ul style="list-style-type: none"> The Sungard Building 24 Southwark Bridge Road Minerva House Rose Court Riverside Court Workspace Union Street Inner London Crown Court 5-11 Lavington Street Kings College Sites Borough High Street Yards

Blackfriars Area Vision	Not sound	Due to circumstances beyond our control as it was envisaged that the deadline for submission would obviously be the last day of the month the 28th February 2018, rather than the actual date of the 27th February. There are a number of responses that will not therefore be submitted until after the closing date. We hope that the local authority will however appreciate and support us by ensuring these additional comments are submitted as evidence for the examination and Inspector's consideration.
Blackfriars Site Allocation	Not sound	Due to circumstances beyond our control as it was envisaged that the deadline for submission would obviously be the last day of the month the 28th February 2018, rather than the actual date of the 27th February. There are a number of responses that will not therefore be submitted until after the closing date. We hope that the local authority will however appreciate and support us by ensuring these additional comments are submitted as evidence for the examination and Inspector's consideration.

As someone who was born in Bankside, grew-up and went to school there, and aims to continue to live in my neighbourhood, I feel that the views of my fellow Bankside Residents Forum (BRF) members and I should be taken into account when preparing such planning policies as those being submitted for examination.

BRF fully appreciates the pressures faced by planning officers in Southwark - dealing with swarms of developers and their supporting consultants vying to bring forward yet another multimillion pound development in Bankside. Yet, at the same it can't be said of planning officers, they do not understand the impacts, and pressures faced by local people and businesses of bad development decisions.

Few residents say we don't want regeneration and revitalization, yet every resident would say no to schemes designed purely for commercial gain regardless of how it changes the neighbourhood.

Nowhere in the United Kingdom has faced such intense pressure from density, increase on the massing of the urban environment, or radical sectoral change in its local economy than Bankside.

Over 25 years under three local plans the damage has been done, and the stress on the community, infrastructure, the urban fabric has all been intense.

This New Southwark Plan should be a robust policy document that gives clarity to developers about the material consideration that could challenge or delay them during the planning process. There should be no more situations where policies are sidelined simply because the pay off in S106 and CIL is seen as mitigation. Evidence reports need to be factual rather than fictional, an example is the DCA 2011, the actual approved housing delivered is five times that of the capacity assessment.

Potential major development sites have been conveniently disregarded as likely to come forward in the next five to ten years, such sites amount to two new Shards scale sites within Cathedral ward.

Views of statutory and other consultees should be considered material considerations

As a spatial policy document the NSP as it currently is drafted has few merits. It lacks the unambiguous policies needed to deliver development schemes that make the most of site opportunities, the right balance of uses, and the social, environmental, economic and sustainable challenges OUR neighbourhood faces over the next decade to fifteen years. To put it simply it is a rehash of poor policies produced by the same officers making responsible for the last plan's lifetime. Nobody has been listened, no lesson learned, no aspiration incorporated in the final submission. The examination stage is now the chance to demand a total revamp of the policies that show due diligence and thought by the local authority.

In earlier LDF guidance, the following statement captures what should have been done to ensure the NSP is sound:

The important things are for the implications of the uncertainty to be taken into account and the “what if” situation considered. Some authorities have addressed the situation by making reference to a range of possible outcomes. This is acceptable if it is not possible to be more precise. Spurious precision is not helpful and is potentially misleading. Where uncertainties exist that may affect the delivery of strategic development requirements, planned contingencies with appropriate monitoring and trigger mechanisms need to be included.

That as well as a robust evidence base is missing.

New Southwark Plan – Proposed Submission Version (December 2017)

Representations on behalf of Barkwest Limited in partnership with the Regent Group of Companies, represented by Shaw Corporation Limited

Policy / Paragraph	Comment / Proposed Amendment
P1: Affordable Homes	<p>Point 6 and the policy supporting text states that LBS <i>“will require planning applications to show that the developments are viable and deliverable and provide a full viability assessment. We ask for assessments for all applications, not just unviable ones”</i>. 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 per cent 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 4 states that use of the ‘Vacant Building Credit’ will not be accepted. The Mayor’s ‘Homes for Londoners – Affordable Housing and Viability’ SPG identifies that there may be some circumstances where the credit should be applied. The 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.</p>
P2: New family homes	<p>Policy P2 and Figure 1 should be amended to clarify that the Old Kent Road Opportunity Area “Core Area” will be subject to the 20% minimum of 3-beds. This will then accord with the emerging Old Kent Road Area Action Plan.</p>
P4: Private Rented Homes	<p>1.7 states that developments must provide affordable homes in accordance with P1 or Table 3, subject to viability. A failure to apply a flexible approach to the split based upon site specific circumstances will impact on the delivery of affordable homes, particularly in large, mixed-used developments. Unlike policy P1, there is no reference to a flexible approach being applied to the mix targets included within the supporting text and this flexibility should be included for the policy to be sound.</p> <p>1.7 also states that <i>“where the provision of private rented homes generates a higher development value than if the homes were built for sale, the minimum affordable housing requirement will increase to the point where there is no financial benefit to providing private rented homes over built for sale homes”</i>. LBS recognises that the private rented sector meets the housing needs of residents who cannot afford to, or do not want to buy homes in Southwark, and as such the Council wants to encourage professionally managed private rented products. This sentence is unnecessary, as private rented units are automatically pegged to the market, with the ability for rents to fall in the future. 1.7 as drafted will deter the delivery of professionally managed private rented products, and this sentence should be deleted as it cannot be justified.</p> <p>Paragraph 1.8 should be amended to reflect the Mayor’s ‘Homes for Londoners – Affordable Housing and Viability’ SPG. It should not be necessary for affordable housing reviews to be required where 35%</p>

	affordable housing has been provided and implementation targets have been met.
P9: Optimising delivery of new homes	<p>Point 1 states that Development must be within the residential density ranges outlined in Table 6 and Figure 2 but that in exceptional circumstances development may exceed these density ranges where it achieves an exemplary standard of residential design. The reference to density ranges should be deleted and amended to accord with the emerging New London Plan (December 2017).</p> <p>Figure 2 should be amended to show the Old Kent Road Area Action Plan Core.</p>
P26: Office and business development	<p>Point 2 states that <i>"in exceptional circumstances, the loss of employment floorspace may be accepted in the Central Activities Zone, town centres, opportunity areas and where specified in site allocations where the retention or uplift in employment floorspace on the site is not feasible. This must be demonstrated through a marketing exercise for two years immediately prior to any planning application, for both its existing condition and as an opportunity for an improved employment use through redevelopment which shows there is no demand"</i>.</p> <p>It will not be possible to rigorously market test all employment space for two years prior to a planning application as the application will often be run in parallel with the remaining periods of limited or declining occupation but where there is no appetite by a site owner to market the buildings in their existing condition which is often poor, out of date or semi derelict condition, and due to the need to make best use of a site for mixed use purposes. The policy should account for this by clarifying in the supporting text that site specific situations will be accounted for.</p> <p>In assessing whether a loss of employment floor area may be justified quantitatively, consideration should also be given to the quality and type of employment floor space that may be provided on-site as part of a mixed-use scheme. The supporting text states that in Opportunity Areas, mixed use neighbourhoods will incorporate new types of flexible business workspace across a range of sectors including light manufacturing, technology, science, creative and cultural industries and the digital economy. This is supported. On this basis, a reduction in the <u>quantity</u> of existing employment floorspace may be justified where proposals incorporate a greater <u>proportion</u> of flexible workspace for small and medium sized enterprises.</p> <p>Likewise, there may be a reduction in the total employment floor area on a site by site basis, but this may be justified where the employment offer as part of a mixed-use scheme is more fit for purpose for modern occupiers and where it can be retrofitted for future uses as well as delivering higher job densities off smaller floorplates.</p> <p>We believe that this approach will reward those able to provide a fine grain of genuinely mixed-use developments, which should be encouraged. The policy and / or supporting text should be amended accordingly.</p> <p>Policy P26 should be amended to state that the loss of employment floorspace may be accepted where the retention or uplift on site is not</p>

	feasible and where there is no demand, or where <u><i>it can be demonstrated that the employment floorspace to be provided is designed flexibly to meet the current and future demands of small and medium sized businesses.</i></u>
P28: Small and independent businesses	There may be instances of small businesses choosing to relocate as part of their individual consolidation plans or business needs, rather than being displaced by development. The supporting text should clarify that the need to re-provide existing businesses will not apply in this situation.
P38: Business relocation	There may be instances of small businesses choosing to relocate as part of their individual consolidation plans or business needs, rather than being displaced by development. This policy should not apply in these situations, and therefore there should be no need for a business relocation strategy where evidence is provided that the business is relocating by its own accord.
NSP68: Devon Street and Sylvan Grove	<p>We support the allocation of Devon Street and Sylvan Grove for redevelopment, and its removal from a Preferred Industrial Location.</p> <p>The site allocation states that "<i>development in the opportunity area will need to demonstrate that the site responds positively to the objectives of the AAP and provides the appropriate facilities for health care, education and leisure facilities as well as community, energy and transport infrastructure</i>". The AAP will plan for appropriate supporting social infrastructure, including health care, education and leisure facilities as well as community, energy and transport infrastructure. The site allocation should clarify that individual developments may not each be able nor need to provide all of these supporting social infrastructure uses, but rather demonstrate that there is sufficient existing or planned social infrastructure to support the development.</p>
New Strategic Protected Industrial Land (SPIL4 – Integrated Waste Management Facility)	We suggest that the boundary of the new SPIL4 (the Integrated Waste Management Facility) is redrawn to remove the roundabout and both the small section of access road at Devon Street and egress road adjacent to Daisy Business Park, as the roundabout and access and egress arrangements may be reconfigured with the opportunity to provide new open space adjacent to Daisy Business Park, even in the interim period prior to any decommissioning of the Integrated Waste Management Facility.

ST/TL/P6695
 27 February 2018

Planning Policy Team
 London Borough of Southwark
 160 Tooley Street
 London Bridge
 London
 SE1 2QH

Dear Sir / Madam

**Representations by Berkeley Homes (South East London) Ltd on
 The draft New Southwark Plan: Regulation 19 Consultation**

These representations have been prepared on behalf of Berkeley Homes (South East London) Ltd (Berkeley) regarding the draft New Southwark Plan Proposed Submission Version (NSP) 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 and September 2017 in respect of the New Southwark Plan Preferred Option - New and Amended Policies June 2017.

Overall we consider the policies in the NSP to support the objectives of the Council to deliver new homes and jobs in the Borough. However to assist the Council in these objectives we set out a series of amendments aimed at ensuring the NSP is both Legal and Sound in order to promote good growth throughout the Borough. Where suggestions are put forward these are designed to help guide the Council on the deliverability of the policies.

About Berkeley Group and its investment in Southwark

Berkeley has built 19,000 new homes in the last five years. In London, it has built 10% of all new homes, including 10% of new affordable housing, and its contributions to affordable housing and wider community infrastructure exceeded £0.5 billion. Over the five previous years to 30 April 2016, Berkeley has contributed a total of £2.3 billion to the Treasury through direct and wider taxation and it currently supports 13,000 jobs across the business.

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

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provides a mixed-used development of high quality design that incorporates up to 1,050 homes (including a proportion of affordable homes) and up to 5,500sqm 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 emerging DOKR AAP which seeks 20,000 new homes in the Opportunity Area by 2036. It 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

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

Policy P1 - Quality Affordable Homes

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. Therefore, the sites and the scale of development identified in the Plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. The evidence presented in August 2017 by the Council at the EIP for Southwark's revised CIL Charging Schedule has demonstrated that on the majority of the major projects assessed by the Council's consultant (BNPP) the provision of affordable housing would not be viable even where no increase in CIL was made. This included significant positive assumptions towards future growth in sales values.

The Council's overall target of a minimum of 35% of homes (by habitable room) is supported as it reflects the Mayor's target in his Affordable Housing and Viability SPG (August 2017) (Mayor's SPG). However we consider there needs to be a reassessment of the tenure split indicated in Table 1 to allow greater flexibility in the application of the split between tenures, in particular in Area Action Plans/Opportunity Area Planning Frameworks.

As noted in the accompanying text to Policy P1 approximately 57% of Southwark's total affordable housing need is for intermediate housing to meet the housing needs of lower and middle income residents. Notwithstanding this overall need for intermediate homes, the Council has identified that given the acute needs of social housing tenants the tenure split should be a minimum of 25% of homes in schemes as 'social rent' and 10% as intermediate.

As noted in previous representations to the Council on the Draft NSP, we consider the Council should continue to apply differential tenure splits on developments in areas which are subject to Area Action Plan policies and Opportunity Area Planning Frameworks. This will allow the need for affordable homes to be balanced against the requirement to deliver major infrastructure improvements to an area (i.e. Bakerloo Line Extension) or provide other planning benefits in lieu of affordable housing (e.g. community facilities, new public realm etc.).

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The delivery of the objectives of Area Action Plans or Opportunity Area Planning Frameworks are tied to viability and the Council should apply a flexible approach to this in-line with the guidance in Policy 3.11 of the draft London Plan which requires Council seek the maximum provision of affordable housing whilst taking into account the viability of future development.

We consider there is a good case for retaining differential rates in these key regeneration areas and we note that Part 1 of Policy P1 allows a differential rate in the Aylesbury Area Action Plan Area. Part 1 should be amended to include reference to other key opportunity areas including Old Kent Road, Canada Water and Elephant and Castle.

In addition to the above, we would like clarification on the use of the term 'social rent' within the policy. Table 1 refers to 'social rent', however the explanatory text within the Fact Box highlights that social housing products include Social Rent, Affordable Rent and London Affordable Rent (LAR). The Fact Box sets out weekly rents for Social Rent and LAR but not Affordable Rent.

London Plan Policy 3.10 states that affordable housing includes Social Rented, Affordable Rented and Intermediate housing. The DLP Policy H7 sets out a preference for LAR to be provided but does allow other forms of tenure to be provided. On this basis we consider that it would be beneficial if the wording of Table 1 references 'social housing homes' rather than 'social rent homes'. This would then tie in more closely to the text in the Fact Box on differing types of social housing product and provide flexibility for future schemes to provide a range of social housing tenures.

With regard to intermediate homes, Policy P1 states these homes should be affordable to a range of incomes. The explanatory text for Policy P1 highlights the differences between household income in the Borough and the Mayor's £90,000 threshold. Whilst we broadly support the flexibility given by Policy P1 we would highlight that the Mayor in the draft London Plan (Paragraph 4.7.10) states that any local criteria including income caps should automatically cascade to the London Wide eligibility criteria after three months. On this basis we consider that it would be helpful if further guidance is provided within Policy P1 to reference to the cascade after three months.

Policy P2 – New Family Homes

Notwithstanding our comments below we consider that it would be appropriate for the Old Kent Road Area Action Plan Core Area to be added to Figure 1.

Table 2 requires developments in the Central Zone and Action Area Cores to provide 20% three beds (this was previously 10% in the Southwark Plan and Core Strategy Policy 6).

Policy DM2 (4) in New Southwark Plan Preferred Option stated that three bed units would only be sought for 'affordable units'. This flexibility has now been removed in the wording of Policy P2 which applies a requirement that all development provides three bed homes as highlighted in Table 2.

As briefly touched on above, it is important that policies provide some flexibility in order to ensure development remains viable and delivery is not threatened. Furthermore, restricting the proportions of different sized market and intermediate homes may result in a developer being unable to bring forward the optimum and most suitable mix for the site. Each site should be considered independently in order to deliver the best development solution.

We consider that Policy P2 would be more effective if it was amended in line with Policy H12 of the draft London Plan so as to remove reference to the need for a prescribed unit mix for market and intermediate homes.

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Policy P9 – Optimising Delivery of New Homes

We would note that Figure 2 needs to be updated to show the Old Kent Road Area Action Plan Core Area. This approach is consistent with the DOKR AAP.

There is broad support for the objectives of Policy P9 which seeks to optimise density of development and ensure a high quality of design. This echoes Policy 3.4 of the London Plan and Policy D6 of the draft London Plan which notes that development proposals must make the most efficient use of land, optimising density through a design led approach.

Sustainability and high quality design is at the heart of everything Berkeley does and this applies to every project across the Group. Berkeley's single biggest contribution is to create new places that grace their surroundings and will stand the test of time. The environmental and design performance of each site is carefully considered at the early stages of each project to ensure we create beautiful, successful places.

Policy P9 notes that justification for higher densities above the ranges in Table 6 would be in exceptional circumstances and exemplary design based on applying the criteria within Policy P9. We consider it would be helpful to amend the wording to allow for higher densities where supported by a design led approach, detailed design scrutiny and an appropriate management plan. This amendment would retain the effectiveness and purpose of the policy but would provide better alignment with the new London Plan once both documents are adopted (by 2019).

Policy P14 – Tall Buildings

We support the objectives of the policy and the desire to ensure the highest design quality is achieved when taller buildings are proposed. They make good use of scarce development land; reduce pressure on the green belt, and can simply be the right architectural solution. Done well, tall buildings are one part of the answer to London's housing challenge.

As supported by paragraph 3.30 of the adopted London Plan future development across London should be linked to existing and future public transport infrastructure. We consider that it would be helpful for the Policy to specifically make reference to planned public transport connectivity and capacity improvements to determine the appropriateness of a location. Without this approach the Council risks under-delivering new homes and missing key regenerative benefits which tall buildings can provide.

In addition we consider that Part 2.11 should be deleted. Part 2.11 requires developers provide new publically accessible space at or near to the top of the building and communal facilities for users and residents when above a height of 60m. Southwark has a significant number of existing buildings above 60m in height and a number of taller buildings are proposed to be built in the near future. It is not reasonable or nor necessary to expect public access to the uppermost floor of all future tall buildings.

The addition of publicly accessible areas at the top of a taller building adds significantly to construction cost and long term operational management costs of a building. This is through the need for additional lifts, additional capacity for means of escape from upper floors and additional security & facilities management. These costs will impact on the viability of a scheme and could reduce the provision of affordable housing and other major planning benefits delivered on a site.

Other than in a specific location and an exceptional building (e.g. The Shard) publicly accessible

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areas are unnecessary and harm other benefits. The provision of public access to specific buildings should be sought in exceptional circumstances through S106 obligations and not be a requirement of policy. The provision of communal areas within tall buildings for occupiers and residents is often provided by developers but should be a commercial consideration and not a requirement of policy.

Policy P17 – Conservation Areas and Policy P18 – Conservation of the Historic Environment and Natural Heritage

It would be helpful for Policy P17 and P18 to be considered alongside Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) to bring consistency in approach.

Policy P25 – Strategic Protected Industrial Land

We strongly support the consolidation of the Strategic Industrial Land (SIL) into more focussed areas as highlighted in the Policies Map of the NSP, where existing industrial capacity can be retained and intensified. This is in line with the objectives of the DLP Policy E5 which notes that SIL should be managed proactively through a plan-led process to sustain them as London's main reservoirs of industrial and logistical uses with capacity for uses that support the functioning of London's economy. Section B of Policy E5 in the DLP notes that Boroughs should, in their Development Plans, define the boundaries of SIL, having regard to the scope for intensification, Co-Location and Substitution as set out in Policy E7 of the DLP.

With regard to areas within NSP65 (and OKR 10 of the DOKR AAP) the de-designation of Malt Street and other land as SIL is strongly supported. This will result in a focus towards mixed use development and co-location of commercial and residential uses.

Policy P26 - Office and Business Development

As noted in previous representations the retention or enhancement of employment use based on gross internal floorspace will significantly impact on the ability for these sites to come forward in the future. With a large proportion of the land within Area Action Plans and Opportunity Areas containing these uses the Council is harming the ability for the other strategic priorities for the Borough to be delivered (new housing, jobs and public realm). As noted in the NPPF Paragraph 20, to help achieve economic growth, LPAs should plan pro-actively to meet the development needs of business and support an economy fit for the 21st century.

Greater emphasis should be placed on the number of jobs (employment density) and the type of employment floorspace being delivered rather than a crude quantitative assessment of floorspace. The emphasis should be on creating jobs, building businesses and opportunities and this can best be achieved through the delivery of a range of appropriately sized and flexible accommodation; principally workspace, co-working space, studio and SME type units. This delivers an efficient use of land which allows other uses and enhanced public realm to be provided within schemes. This demonstrates that it is not the amount of floorspace provided but what it comprises, and how it allows for the intensification of the number of jobs on site. The crude re-provision of gross internal floorspace could deter potential development as the demand for large areas of business uses in an area may be limited, however higher density employment uses can deliver the number of jobs needed to maintain a genuine mixed use character.

The re-provision of employment accommodation on a site should not take into account the amount of yard areas or hardstanding which exists on a site. These areas reflect the policies and standards of previous planning regimes which sought large areas of car parking, servicing and vehicle access and turning areas. In tune with Policy E7 of the DLP greater intensification of employment areas should avoid such inefficient areas and developers should not have to re-provide these in future

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development.

Policy P30 – Town and Local Centres

We support the identification of the Old Kent Road Major Town Centre. To reflect this, it would be helpful to also show this on the Policy Map.

Policy P38 – Business Relocation

As per the previous representations on the Preferred Option for the NSP, the requirement to provide a relocation strategy to the Council where small or independent businesses are displaced is considered onerous. It is long held tenet that the planning system is not there to protect individual commercial interests and it is not clear from the policy what the role of the Council would be in the process and how it could seek to protect individual commercial interests.

As per our previous comments it would be helpful if the Council could clarify what constitutes a small or independent business and how the strategies should be delivered.

The imposition of this requirement on developers would be significant and detrimental to the delivery of wider objectives. It is not clear from the Policy what timescales are applicable to the relocation and what requirements there are on the small businesses to accept what is offered. This will slow the development process and could lead to stalled or abandoned schemes where individual occupiers have onerous or complex relocation requirements.

It is considered that rather than seek to try and obligate developers and builders to assist relocation of existing businesses; encouragement should be given to working with Council operated initiatives to seek to support opportunities for new and existing businesses to flourish. Furthermore there should be greater encouragement for developers to deliver a range of employment opportunities in schemes within the Borough and especially in Opportunity Areas.

Policy P46 – Public Transport

We broadly support the objectives of Policy 46 and in association with Policy IP2 (CIL and Section 106) the need for development to contribute to improvements to public transport infrastructure (through S106) is supported.

However we consider that the Council should adopt the approach identified in the draft London Plan Policy SD1 (Growth Corridors and Opportunity Areas) where future development across London should be linked to both existing and future public transport infrastructure. NSP draft Policy D6 notes that the density of development should be based on planned levels of infrastructure and where there is insufficient capacity at present boroughs should work with applicants to ensure the sufficient capacity is provided at the appropriate time.

On this basis it would be helpful if Policy P46 can include more reference to the future accessibility of a site and the future capacity in public transport once proposed changes to infrastructure are delivered.

Policy P50 - Cycling

As supported by NPPF paragraph 17 we support the promotion of sustainable forms of transportation and the Council's objectives in terms of encouraging cycling in the Borough and increasing the number of persons who cycle and the number of overall trips undertaken by cycles in the Borough.

It would however be helpful if the Policy could provide greater flexibility on the types of cycle stands

London Borough of Southwark
February 2018

that can be provided in developments. Double stacked stands are more efficient and make better use of land than 'Sheffield Stands'. Given the need to locate cycles in accessible and useable locations for cyclists, the 'land take' required to provide the necessary cycles is extensive and impacts significantly on the quality of the ground floor and active use onto streets.

The need to cater for less ambulant cyclists can be incorporated into double stacked stands without harming the effective use of the land. The changes delivered through double stacked cycle racks versus standards will have significant benefits in terms of townscape and public realm design.

Site Allocation NSP65 – Land Bounded by Glengall Road, Latona Road, and Old Kent Road

We strongly support the designation of land bounded by Glengall Road, Latona Road and Old Kent Road as a site allocation (NSP65) with the aim of delivering thousands of new homes, thousands of new jobs and a range of new community, retail and leisure uses.

Site Allocation NSP65 in the NSP is broadly identical to Site Allocation OKR10 in the DOKR AAP. This site allocation has been the subject of extensive consultation for a number of years by the Council in the preparation of its evidence base for both the NSP and DOKR AAP. Berkeley has been a major stakeholder in this process given its landholdings at Malt Street, at the heart of NSP65 (and OKR10).

This dialogue with the Council and coordination with other major stakeholders in the area led to the development of the application scheme for Malt Street. A key component of the application scheme has been the creation of places and spaces and the need to ensure the scheme did not just work successfully for the site but demonstrate the scheme is part of a cohesive wider masterplan for NSP65.

Concluding Comments

Berkeley strongly supports the Council in its identification of the benefits of a combined 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 would ask that it consider the suggested amendments contribute to the successful implementation and delivery of the NSP.

We would be happy to meet and discuss the contents of these representations should the Council determine it to be beneficial.

Yours sincerely

[Redacted signature]

For and on behalf of
Rolfe Judd Planning Limited

[Redacted contact information]

27 February 2018

Better Bankside: New Southwark Plan Consultation

Introduction

Better Bankside is the Business Improvement District (BID) for the Bankside neighbourhood. Prior to its submission to the Secretary of State, we are pleased to have this final opportunity to contribute to the strategic vision and local policy framework covering the next 15-year period up to 2033, as outlined within the emerging New Southwark Plan (NSP).

Since the previous 'Preferred Options' consultation stage, we welcome additions and amendments that include:

- Recognition of Bankside and the Borough as a “*globally significant business district*”.
- Opportunity for active frontages now indicated onto the Site Allocations' indicative plans.
- A more robust framework when permitting loss of employment space in Central Activities Zone, town centres, opportunity areas and site allocations.
- Acknowledgement that Bankside and the Borough is an area of “great archaeological interest”.
- Appreciation that the local economy is “*notable for its diversity*”, detailing the range of businesses attracted into the area.

Better Bankside have facilitated extensive consultations with local businesses and residents within the Bankside neighbourhood, not least having helped to develop the Bankside Neighbourhood Plan to its Pre-Submission Consultation Draft, in partnership with the Bankside Neighbourhood Forum. We therefore have a strong understanding of the aspirations, opportunities and challenges of the Bankside and Borough community and the rapidly developing context in which it evolves.

We believe the following recommendations, in conjunction with the existing and emerging planning and economic policies, should be included within the Submission version of the New Southwark Plan, in order for it to be found effective, justified and ultimately sound.

BANKSIDE AND THE BOROUGH AREA VISION / OPPORTUNITY AREAS

AV01.01 of the Area Vision provides a high-level account of the cultural and historical contexts within Bankside and The Borough. Although this introduction mentions some of the iconic institutions within the area, we believe that the synopsis should capture the neighbourhoods' character by linking the area's heritage with its present setting. We therefore strongly suggest adding further narrative for the Area Vision for Bankside and The Borough as outlined below: *'Once London's rowdy pleasure district, Bankside has a history rooted in entertainment. Bankside has a bold and independent spirit shaped by its rebellious past.*

Bankside is a long-standing home of essential industry, characterised by the mighty Victorian railway viaducts that run through the area and now form The Low Line. Today, amongst the ghost signs, Victorian warehousing, Hop Exchange, Power Station and modern architecture, there is a hub of talent that powers the new economy – digital tech makers, creative agencies, architects and artisan food producers.

Bankside is an area of exchange, connecting places and people in a central neighbourhood. Bankside is a place of connection. Five bridges join the area to the city (including the first, and the most recent to be built). Its centrality and ease of access is a key selling point, and it's a truly mixed neighbourhood of residents, businesses and visitors.

We support this submission document's identification of the Bankside and The Borough area as a "globally significant business district". The Area Vision for Bankside and the Borough, largely coincides with the aspirations of the area's draft Neighbourhood Plan produced in 2016.

In 2013, The Neighbourhood Area for Bankside was formally approved. Following numerous events consulting a wide network of community groups, residents and businesses, a draft version of the Neighbourhood Plan was published March 2016.

We strongly recommend that the Area Vision for Bankside and The Borough, and wider Development Management Policies within the New Southwark Plan, consider and include the following objectives of the draft Bankside Neighbourhood Plan:

- To ensure that new development enables a mixed and balanced community to live in the area, providing accommodation that is suitable for people of different income levels and life stages.
- To ensure a supply of appropriate commercial space for all sizes of business.
- To ensure retail uses serve the needs of the resident, worker and visitor population
- Ensure local people derive benefit from new development across the Neighbourhood Area.
- To improve the quality and quantity of open spaces and public realm throughout the Neighbourhood Area.
- To ensure the local environment and amenity of the area is not harmed by development
- To encourage activity away from the River Thames walkway across the Neighbourhood Area.
- To encourage active and sustainable modes of travel.

Furthermore, we would welcome the New Southwark Plan's explicit recognition of the draft Neighbourhood Plan as a material consideration that forms part of the Borough's Development Plan, to ensure that all development proposals within the Borough are consistent with the policies set out in the draft Neighbourhood Plan. Finally, we would echo the sentiment of Team London Bridge BID's submission that the Development Plan should better set out the weight given to Area Visions in determining planning applications.

OPPORTUNITY AREAS

London Bridge, Borough & Bankside are listed as Opportunity Areas within The London Plan. Better Bankside welcomes this designation and feel it is appropriate given that the area is continuously evolving, whilst maintaining its unique historical character. However, the NSP has Area Visions that separate Bankside and the Borough with London Bridge.

It would be useful if the Development Plan was able to clarify how the framework of the unified Opportunity Area will work in practice alongside the differing Area Visions. We believe that this clarification should also explain how the various Neighbourhood Plans will be used as material considerations, despite the overlapping boundaries. For example, the Opportunity Area Neighbourhood Plan, London Bridge Plan and draft Bankside Neighbourhood Plan.

STRATEGIC POLICIES

SP2: Social Regeneration to Revitalise Neighbourhoods

Better Bankside's placemaking strategy, known as the Bankside Urban Forest (BUF), is comprised by a programme of projects aiming to create healthier, more attractive and better-connected streets within the Bankside neighbourhood, that respond to the expressed needs of local businesses and residents whilst enhancing and celebrating the many heritage assets that augment its local distinctiveness. Over the last ten years, the BUF has provided a holistic approach that include many of the urban greening, lighting and streetscape improvements outlined within Policy P11.

Better Bankside particularly welcomes point four within Spatial Policy 2; ensuring that development and regeneration schemes enhance the contextual heritage of the area. This Strategic Policy also outlines the importance of creating attractive and appropriately designed public realms that encourage sustainable ways to travel and greening measures. These are in conjunction with Better Bankside's wider objectives relating to BUF's projects affect the public realm.

The list of considerations set out within Spatial Policy 2 identifies how the Council intends to achieve the policy's objectives in revitalising neighbourhoods within the Borough. Point number 3 places specific emphasis on how the local authority will ensure that *"local residents and neighbourhoods prosper from growth through giving people from every community the opportunity to get their voices heard from the earliest point and when decisions are made"*.

Although the Plan's reasoning behind this policy recognises that development proposals ought to *"make sure... businesses are always considered and listened to"* in addition to existing residents, we believe it would be more appropriate to make specific reference to local businesses within Point 3 of the policy. This would

help to ensure that members of the local business community are duly consulted on in order to capture the views of different local stakeholders in equal measure.

We therefore recommend that point number 3 of SP2 makes specific mention of local businesses to ensure an adequate level of stakeholder engagement.

SP4: Strong Local Economy

Firstly, point number 3 of the Policy SP4 appears to have an incomplete sentence.

Secondly, the proposed policy fails to recognise any of the Business Improvement Districts (BIDs) operating within Southwark, of which there are five. We believe this is a great shame as BIDs are playing an increasingly fundamental role in many of the public realm improvement schemes across the Borough. What's more, the security and cleaning services offered by BIDs (that are in addition to the Borough's services) help to create a more attractive, safer environment for businesses to work, helping to stimulate and grow the local economy.

We believe it is essential that the Local Plan takes the role of BIDs into consideration; often representing many of the needs of local businesses. We would therefore also welcome part of the policy to indicate how the Council and developers should engage and collaborate with BIDs to ensure the most appropriate design and development outcomes are achieved.

DEVELOPMENT MANAGEMENT POLICIES

P11: Design of Places

The NSP's stance on public realm matters is detailed further within Policy P11, expanding on how development proposals must follow some key urban design principles.

Better Bankside welcomes the inclusion of urban design considerations within the Plan and encourage a design policy that ensures development proposals reflect their impacts on the public realm and are shaped by the functionality of the development to the wider street. Moreover, designs should incorporate strategies that seek to make improvements to the surrounding environment in which they are located and be attentive to the local character.

Given the large amount of business activity within the Borough, we believe the policy should make specific reference as to how development proposals will add to the existing uses within the area. The last point of the policy specifies outdoor seating and public realm improvements for residents and visitors. However, we suggest that the policy should also include an appreciation of how the urban realm can serve local businesses.

P27: Railway Arches

Policy 27 identifies the opportunities presented by Southwark's historic railway arches and we advocate reinstating the railway arches for commercial and community uses. Whilst Better Bankside are encouraged that the policy supports the delivery of the Low Line as a 'walking route', Policy 27 should also recognise the economic potential offered by the unlocking of the Low Line, as referred to in Policy 49.

P30: Town and Local Centres

Policy P30 designates Bankside and The Borough as a District Town Centre within the Town Centre Hierarchy. According to the definitions set out within the New London Plan, Major Town Centres “generally contain over 50,000 sqm of retail, leisure and service floorspace” and “may also have significant employment, leisure service and cultural functions”.

We consider this designation to describe Bankside and The Borough more accurately than the District Town Centre criteria. The indicative uses within Bankside and the Borough are as follows:

- Retail: 31,586 sq.m
- Hotels: c.30,000 sq. m

The information above clearly illustrates that within Bankside and the Borough, there is approximately over 60,000 sq.m of combined retail and hotel space. This is above the criteria for District Town Centres that typically “contain 10,000 – 50,000 sqm of retail, leisure and service floorspace”.

The evidence base informing Policy P30 is comprised in part by the Southwark Retail Study. This document was written in 2015 and already omits several major developments with either full or outline planning consents. This part of the evidence base therefore requires updating, without which, the NSP cannot be perceived as using proportionate evidence that is “adequate, up-to-date and relevant” in accordance with Paragraph 158 of the NPPF.

Furthermore, the Major Town Centre description is more closely aligned with other aspects of the Plan relating to Bankside and The Borough area. Indeed, the NSP’s Area Vision recognises Bankside and The Borough as being “at the heart of the commercial and cultural life of the capital”.

The emerging Local Plan represents the strategic framework for the fifteen-year period up to 2033 and beyond. Paragraph 152 of the NPPF states that Local Plans should “... take account of longer-term requirements and be kept up to date”. Given the rapid increase in office and retail uses in Bankside and the Borough over the course of the existing Local Plan and Core Strategy, the NSP should reflect the area’s role as a Centre over the emerging Plan’s lifetime and the likelihood that this trend is likely to continue, reinforcing the area’s suitability as a Major Town Centre.

This is especially true when considering the area’s designation as an Opportunity Area. The Employment Land Study also forecasts growth of 460,000 sq.m of B1 additional office space to occur within the Borough, up to 2036. It recommends that 80% of this office space ought to be located within the Central Activities Zone encompassing the entire Bankside and the Borough area and is indicative of the neighbourhoods’ expected economic growth.

In this instance, we find the NSP to be unjustified. Paragraph 182 of National Planning Policy Framework stipulates that in order to be considered justified, Local Plans should be the “most appropriate strategy”. We feel that the inappropriate designation of Bankside and the Borough within the Town Hierarchy constitutes a deviation from this National Policy and on that basis renders the Plan unsound.

We suggest that designating the area as a “Major Town Centre” would be more appropriate in light of the above.

P49: Low Line Routes

We welcome the NSP's support to prioritise the 'unlocking' of the Low Line as a strategic, continuous walking route through the Borough, prohibiting development that would adversely impact the objectives as outlined within Policy P49.

We agree with Policy P49, that the Low line offers the potential to stimulate economic growth whilst creating 'attractive routes along railway viaducts and arches'. However, we believe that this policy should elaborate on the potential benefits of the Low Line in relation to air quality and health and wellbeing.

We recommend that the policy explicitly recognises the Low Line as a strategic green link. Encouraging walking along the Low Line will help reduce traffic and P49 should use this opportunity to draw attention to the issue of air quality, demonstrating that as a predominantly pedestrianised route, the Low Line presents healthier route options that are less exposed to harmful pollutants on heavily congested roads.

P66: Air Quality

Policy P66 sets out the Plan's policy requirement regarding air quality.

Although there is a lot of focus on domestic impacts, which we support, the policy should outline additional measures for tackling the issue, not solely in relation to boiler types. These could include repairing and/or replacing wood window frames, etc. There should also be a recognition of the impact of behavioural change as well as physical infrastructure improvements.

In both instances, the Submission document fails to signify the role of the Council in achieving these objectives. Nor does the Plan divulge a strategy on how the Council intends to tackle the problems with replacing their boilers for Council-owned properties. Information on feasibility regarding how this will be funded, or potential funding sources would be welcome.

Additionally, there is little detail relating to vehicle emissions and the causes of this – i.e. personal deliveries / businesses-related deliveries. There is also no real mention as to how these will be tackled. We would therefore recommend that Policy P66 acknowledges the issues surrounding vehicle use and air quality and includes an approach to address them.

SITE ALLOCATIONS

We would welcome more specific indication as to how Open Space will be incorporated into development proposals. These should be included within indicative plans on the Site Allocations Plans.

AKH/kjh/0201542

26 February 2018

Planning Policy
Planning Division
Chief Executive's Department
Southwark Council
PO Box 64529
London
SE19 5LX

Dear Sir

**Re: New Southwark Plan Proposed Submission Version: Site Allocations - Ref: NSP31: 99
Lomond Grove**

I refer to your letter of 15 January 2018, addressed to Helix Property Limited, in respect of the above. I act on behalf of BizSpace and am instructed to respond. This follows my previous letter dated 19 May 2017, following a similar consultation letter issued by Southwark Council, dated 2 May 2017.

As I have previously confirmed, BizSpace is the owner of No. 99 and No. 101-103 Lomond Grove, a property known as Camberwell Business Centre.

Allocation NSP31

In this context, it is noted the Council has made some amendments to the allocation (formerly NSP33) following the concerns raised in our letter of 18 January 2018, notably:

- The allocation no longer shows photographs of my client's property at No. 99 and No. 101-103 Lomond Grove, but of the adjacent site;
- The reference to 'Camberwell Business Centre' has been removed, and
- The 'Design and Accessibility' criteria of the allocation now specifically confirm any redevelopment should not prejudice the existing or future operations at Camberwell Business Centre.

These amendments are welcomed.

However, the allocation as it currently stands still remains confusing and incorrect.

Firstly, it now refers to 'No. 99 Lomond Grove' which is the listed building within my client's ownership and forms part of the Camberwell Business Centre. This should therefore be replaced with the correct address of the site allocation, which we understand is 83 Lomond Grove, albeit no doubt the Council will make its own checks.

Secondly, the NSP31 Site Boundary continues to include the area land falling within my client's ownership (encompassing the area of hard standing immediately adjacent to the northern elevation of No. 99), which is used as car parking by occupants of the BizSpace buildings. This should therefore be excluded from the site allocation.

We have previously requested this information is corrected. Accordingly, we have prepared objections to the New Southwark Local Plan, attached for your information, which is formally submitted.

I trust that the Council will confirm the above amendments as part of a modification through the New Southwark Local Plan examination process, to ensure that the plan is sound and justified. This shall be closely monitored by Rapleys.

Yours sincerely,

 _____



Town Planning



New Southwark Plan Proposed Submission Version representations form

Part A: Contact details

If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in the next section.

1: Personal details

Title:	<input type="text"/>
First Name:	<input type="text"/>
Last Name:	<input type="text"/>
Organisation (Where relevant):	<input type="text" value="BizSpace"/>
Position (Where relevant):	<input type="text"/>
Address line 1:	<input type="text"/>
Address line 2:	<input type="text"/>
Address line 3:	<input type="text"/>
Postcode:	<input type="text"/>
Email:	<input type="text"/>
Telephone:	<input type="text"/>

2. Agents details (if applicable)

Title:	<input type="text" value="████"/>
First Name:	<input type="text" value="████"/>
Last Name:	<input type="text" value="████"/>
Organisation:	<input type="text" value="Rapleys"/>
Position:	<input type="text" value="Senior Associate"/>
Address line 1:	<input type="text" value="██████████"/>
Address line 2:	<input type="text" value="██████"/>
Address line 3:	<input type="text"/>
Postcode:	<input type="text" value="████"/>
Email:	<input type="text" value="████████████████████"/>
Telephone:	<input type="text" value="████████"/>

Part B: Representation

Please select **one** policy per form to select which part of the plan you wish to make a representation on. The one option you select should be the item you should be commenting on in the subsequent boxes below. If you want to comment on more than one part of the plan, please submit part B again.

1. To which part of the New Southwark Plan does this representation relate to?

Implementation policy:	<input type="text"/>
Development Management policy:	<input type="text"/>
Area Vision:	<input type="text"/>
Site Allocation:	<input type="text" value="NSP: 31 - 99 Lomond Grove (p185 / 186)"/>
Proposal Map:	<input type="text"/>
Other:	<input type="text"/>

2. Do you consider the document to be legally compliant in accordance with the Town and Country Planning (Local Planning) (England) Amendment Regulations 2012?

- Yes
 No

3. Do you consider that the New Southwark Plan is Sound?

- Yes
 No

4. Do you consider that the New Southwark Plan is unsound because it is not?

- Effective
 Justified
 Consistent with national policy and the London Plan
 Positively prepared

5. Please give details of why you consider the New Southwark Plan not to be legally compliant or unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the New Southwark Plan, please also use this box to set out your comments.

Rapleys has previously submitted representations to the draft New Southwark Plan in respect of allocation NSP31 (formerly NSP33) and in this context, it is noted the Council has made some amendments to the allocation following the concerns we raised, notably:

- The allocation no longer shows photographs of my client's property at No. 99 and No. 101-103 Lomond Grove, but of the adjacent site;
- The reference to 'Camberwell Business Centre' has been removed, and
- The 'Design and Accessibility' criteria of the allocation now specifically confirm any redevelopment should not prejudice the existing or future operations at Camberwell Business Centre.

These amendments are welcomed.

New Southwark Plan Proposed Submission Version representations form

Part A: Contact details

If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in the next section.

1: Personal details

Title:	<input type="text"/>
First Name:	<input type="text"/>
Last Name:	<input type="text"/>
Organisation (Where relevant):	<input type="text" value="BizSpace"/>
Position (Where relevant):	<input type="text"/>
Address line 1:	<input type="text"/>
Address line 2:	<input type="text"/>
Address line 3:	<input type="text"/>
Postcode:	<input type="text"/>
Email:	<input type="text"/>
Telephone:	<input type="text"/>

2. Agents details (if applicable)

Title:	<input type="text" value="[REDACTED]"/>
First Name:	<input type="text" value="[REDACTED]"/>
Last Name:	<input type="text" value="[REDACTED]"/>
Organisation:	<input type="text" value="Rapleys"/>
Position:	<input type="text" value="Senior Associate"/>
Address line 1:	<input type="text" value="[REDACTED]"/>
Address line 2:	<input type="text" value="[REDACTED]"/>
Address line 3:	<input type="text"/>
Postcode:	<input type="text" value="[REDACTED]"/>
Email:	<input type="text" value="[REDACTED]"/>
Telephone:	<input type="text" value="[REDACTED]"/>

Part B: Representation

Please select **one** policy per form to select which part of the plan you wish to make a representation on. The one option you select should be the item you should be commenting on in the subsequent boxes below. If you want to comment on more than one part of the plan, please submit part B again.

1. To which part of the New Southwark Plan does this representation relate to?

Implementation policy:	<input type="text"/>
Development Management policy:	<input type="text" value="P28: Small and independent businesses"/>
Area Vision:	<input type="text"/>
Site Allocation:	<input type="text"/>
Proposal Map:	<input type="text"/>
Other:	<input type="text"/>

2. Do you consider the document to be legally compliant in accordance with the Town and Country Planning (Local Planning) (England) Amendment Regulations 2012?

- Yes
 No

3. Do you consider that the New Southwark Plan is Sound?

- Yes
 No

4. Do you consider that the New Southwark Plan is unsound because it is not?

- Effective
 Justified
 Consistent with national policy and the London Plan
 Positively prepared

5. Please give details of why you consider the New Southwark Plan not to be legally compliant or unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the New Southwark Plan, please also use this box to set out your comments.

BizSpace is one of the UK's leading providers of flexible employment accommodation and manages a portfolio of approximately 100 sites throughout England and Scotland, comprising a mixture of business centres, industrial estates and business parks. BizSpace's business model is based on supporting small and start-up businesses, by providing office, industrial and warehousing facilities on a flexible basis. It also employs approximately 180 in-house staff, based in various locations across the country. BizSpace is an experienced asset management company, continually reviewing its portfolio and seeking to maximise value, through on-going improvement and investment within existing sites, acquisitions of new opportunities and disposals of those sites which, for a variety of reasons, are failing to meet the BizSpace model.

In principle, therefore, BizSpace welcomes the Council's clear commitment to ensuring this type of flexible employment floorspace is provided within the borough, and its recognition of the important role that flexible employment space for small and start-up businesses provides. This is very much the foundation of the BizSpace model.

However, BizSpace nonetheless objects to the terms of the Council's employment policy P28: Small and independent business. As proposed, this represents an onerous policy for landowners such as BizSpace, working within wider opportunities and constraints, particularly in operating and managing a large portfolio of properties around the country. The requirement of Policy P28 to ensure that employment floorspace for small independent business is re-provided as part of any redevelopment of a site prevents BizSpace from taking a more strategic view that may include the disposal of a site for alternative uses and re-investment in existing sites (or new acquisitions) elsewhere, including other sites within the London boroughs, to provide new or improved employment floorspace.

6. Please set out what change(s) you consider necessary to make the New Southwark Plan legally compliant or sound. You will need to say why this change will make the New Southwark Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible

The policy should make it clear that retention of/ re-provision of employment floorspace will only be required where evidence indicates there is a market demand and it will represent a viable use of the site.

Part D: Public Examination (required)

If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral examination

Yes, I wish to participate at the oral examination

It is vital that your contact details are submitted correctly to ensure that you can be contacted if you wish to participate in the public examination. Please tick the checkbox to confirm that the details which have been provided are correct.

I confirm that all details provided are correct

Part E: Equalities monitoring

Equality and engagement with our diverse communities is central to the day to day delivery of our Southwark Council Services. To deliver on our commitment to a fairer future, we need to collect some equality information about you. This also forms part of our legal responsibilities under the Public Sector Equality Duty of the Equality Act (2010).

We would therefore appreciate it if you could spend a few minutes filling in the details below. This information helps us to measure and analyse how well we are engaging with all those who live and work in the borough. Please do remember that whilst this information is very useful for our work, you are not obliged to answer or complete any or all of this information. Southwark Council is the data controller for the purposes of the Data Protection act.

New Southwark Plan Proposed Submission Version representations form

Part A: Contact details

If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in the next section.

1: Personal details

Title:	<input type="text"/>
First Name:	<input type="text"/>
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Organisation (Where relevant):	<input type="text" value="BizSpace"/>
Position (Where relevant):	<input type="text"/>
Address line 1:	<input type="text"/>
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Email:	<input type="text" value="████████████████████"/>
Telephone:	<input type="text" value="████████"/>

Part B: Representation

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1. To which part of the New Southwark Plan does this representation relate to?

Implementation policy:	<input type="text"/>
Development Management policy:	<input type="text" value="Policy P38: Business relocation"/>
Area Vision:	<input type="text"/>
Site Allocation:	<input type="text"/>
Proposal Map:	<input type="text"/>
Other:	<input type="text"/>

2. Do you consider the document to be legally compliant in accordance with the Town and Country Planning (Local Planning) (England) Amendment Regulations 2012?

- Yes
 No

3. Do you consider that the New Southwark Plan is Sound?

- Yes
 No

4. Do you consider that the New Southwark Plan is unsound because it is not?

- Effective
 Justified
 Consistent with national policy and the London Plan
 Positively prepared

5. Please give details of why you consider the New Southwark Plan not to be legally compliant or unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the New Southwark Plan, please also use this box to set out your comments.

BizSpace is one of the UK's leading providers of flexible employment accommodation and manages a portfolio of approximately 100 sites throughout England and Scotland, comprising a mixture of business centres, industrial estates and business parks. BizSpace's business model is based on supporting small and start-up businesses, by providing office, industrial and warehousing facilities on a flexible basis. It also employs approximately 180 in-house staff, based in various locations across the country. BizSpace is an experienced asset management company, continually reviewing its portfolio and seeking to maximise value, through on-going improvement and investment within existing sites, acquisitions of new opportunities and disposals of those sites which, for a variety of reasons, are failing to meet the BizSpace model.

In principle, therefore, BizSpace welcomes the Council's clear commitment to ensuring this type of flexible employment floorspace is provided within the borough, and its recognition of the important role that flexible employment space for small and start-up businesses provides. This is very much the foundation of the BizSpace model.

However, BizSpace nonetheless objects to the terms of the Council's employment policy P38: Business relocation. As proposed, this represents an extremely onerous policy for landowners such as BizSpace, working within wider opportunities and constraints, particularly in operating and managing a large portfolio of properties around the country. The requirement of Policy P38 extends above and beyond normal planning policy considerations in relation to loss of employment floorspace, and places an undue burden on landowners seeking to secure the viable long-term use of land and buildings and/or their disposal. It should not be the duty of a landowner to demonstrate how consideration has been given to facilitate the alternative provision of floorspace to tenants once the landlord has served a 'notice to quit' to any remaining tenants within a property. In any event, there are provisions within the Landlord Tenant Act relating to the provision of alternative accommodation and this should not be duplicated through planning policy requirements.

6. Please set out what change(s) you consider necessary to make the New Southwark Plan legally compliant or sound. You will need to say why this change will make the New Southwark Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible

Planning policy should be concerned with only seeking evidence to demonstrate whether or not an employment use of land and /or buildings remains viable (usually through a marketing campaign for a specified period) and thus whether a more efficient use can be achieved. By implication, this would suggest that where there is a case for alternative use of employment land, there would be difficulties in attracting / retaining tenants. As such, there should be no additional requirement beyond this standard policy approach to provide a business relocation strategy for any remaining tenants. Policy P38 should be deleted.

Part D: Public Examination (required)

If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral examination

Yes, I wish to participate at the oral examination

It is vital that your contact details are submitted correctly to ensure that you can be contacted if you wish to participate in the public examination. Please tick the checkbox to confirm that the details which have been provided are correct.

I confirm that all details provided are correct

Part E: Equalities monitoring

Equality and engagement with our diverse communities is central to the day to day delivery of our Southwark Council Services. To deliver on our commitment to a fairer future, we need to collect some equality information about you. This also forms part of our legal responsibilities under the Public Sector Equality Duty of the Equality Act (2010).

New Southwark Plan Proposed Submission Version representations form

Part A: Contact details

If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in the next section.

1: Personal details

Title:	<input type="text" value=""/>
First Name:	<input type="text" value=""/>
Last Name:	<input type="text" value=""/>
Organisation (Where relevant):	<input type="text" value="Black Pearl Limited"/>
Position (Where relevant):	<input type="text" value=""/>
Address line 1:	<input type="text" value=""/>
Address line 2:	<input type="text" value=""/>
Address line 3:	<input type="text" value=""/>
Postcode:	<input type="text" value=""/>
Email:	<input type="text" value=""/>
Telephone:	<input type="text" value=""/>

2. Agents details (if applicable)

Title:	<input type="text" value=""/>
First Name:	<input type="text" value=""/>
Last Name:	<input type="text" value=""/>
Organisation:	<input type="text" value="DP9 Limited"/>
Position:	<input type="text" value="Director"/>
Address line 1:	<input type="text" value=""/>
Address line 2:	<input type="text" value="London"/>
Address line 3:	<input type="text" value=""/>
Postcode:	<input type="text" value=""/>
Email:	<input type="text" value=""/>
Telephone:	<input type="text" value=""/>

Part B: Representation

Please select **one** policy per form to select which part of the plan you wish to make a representation on. The one option you select should be the item you should be commenting on in the subsequent boxes below. If you want to comment on more than one part of the plan, please submit part B again.

1. To which part of the New Southwark Plan does this representation relate to?

Implementation policy:	<input type="text"/>
Development Management policy:	<input type="text"/>
Area Vision:	<input type="text"/>
Site Allocation:	<input type="text" value="NSP20"/>
Proposal Map:	<input type="text"/>
Other:	<input type="text"/>

2. Do you consider the document to be legally compliant in accordance with the Town and Country Planning (Local Planning) (England) Amendment Regulations 2012?

Yes

No

3. Do you consider that the New Southwark Plan is Sound?

Yes

No

4. Do you consider that the New Southwark Plan is unsound because it is not?

Effective

Justified

Consistent with national policy and the London Plan

Positively prepared

5. Please give details of why you consider the New Southwark Plan not to be legally compliant or unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the New Southwark Plan, please also use this box to set out your comments.

Please refer to covering letter.

6. Please set out what change(s) you consider necessary to make the New Southwark Plan legally compliant or sound. You will need to say why this change will make the New Southwark Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible

Please refer to covering letter.

Part D: Public Examination (required)

If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

- No, I do not wish to participate at the oral examination
- Yes, I wish to participate at the oral examination

It is vital that your contact details are submitted correctly to ensure that you can be contacted if you wish to participate in the public examination. Please tick the checkbox to confirm that the details which have been provided are correct.

- I confirm that all details provided are correct

Part E: Equalities monitoring

Equality and engagement with our diverse communities is central to the day to day delivery of our Southwark Council Services. To deliver on our commitment to a fairer future, we need to collect some equality information about you. This also forms part of our legal responsibilities under the Public Sector Equality Duty of the Equality Act (2010).

We would therefore appreciate it if you could spend a few minutes filling in the details below. This information helps us to measure and analyse how well we are engaging with all those who live and work in the borough. Please do remember that whilst this information is very useful for our work, you are not obliged to answer or complete any or all of this information. Southwark Council is the data controller for the purposes of the Data Protection act.



Plan Making Team
 London Borough of Southwark
 160 Tooley Street
 London
 SE1 2TZ

DP9 Ltd
 100 Pall Mall
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Registered No. 05092507


 www.dp9.co.uk

Dear Sir/Madam,

**DRAFT NEW SOUTHWARK PLAN PROPOSED SUBMISSION VERSION CONSULTATION
 (FEBRUARY 2018)**

**REPRESENTATIONS ON BEHALF OF BLACK PEARL LIMITED (NSP20: LAND
 BETWEEN PARIS GARDENS, COLOMBO STREET, BLACKFRIARS ROAD AND
 STAMFORD STREET)**

On behalf of our client, Black Pearl Limited, we write to submit the following representations to the consultation on the New Southwark Plan, (Proposed Submission Version). The purpose of this consultation is to consult on the soundness and legal implications of the Plan. These representations should be read in this context.

Background

Our client is the owner of the site known collectively as 18 Blackfriars Road, which comprises the allocated site ref: NSP20 within the Proposed Submission version of the document.

The site has recently been cleared following extensive demolition of the existing buildings on the site under planning permission ref. 07/AP/0301. A planning application (ref. 16/AP/5239) for the comprehensive re-development of the site was submitted to the Council in December 2016. The Council's Planning Committee resolved to grant planning permission for the site's redevelopment and the s106 agreement associated with the development is due to be completed imminently.

Site Allocation NSP20

Site Vision

The reference to planning application ref. 16/AP/5239 within the Site Vision is supported on the basis that this planning permission is due to be issued in the immediate short term.

It is however requested that the reference to any new development on the Site needing to re-provide '*...at least the same amount of employment floorspace (B class uses) currently on the site or provide at*



least 50% of the development as employment floorspace, whichever is the greater... ' is removed in order to align with draft Policy P26 (Office and Business Development) within the Plan. This policy requires development to retain or increase levels of Class B uses and/or other employment generating floorspace (Sui Generis Use Class) across the borough unless:

“in exceptional circumstances, the loss of employment may be accepted in the Central Activities Zone, town centres, opportunity areas and where specified in site allocations, where the retention or uplift in employment floorspace on the site is not feasible.”

Whilst it is noted that the Site is located within the Central Activities Zone, which is a suitable location for employment growth, in light of the above policy wording, we consider that the existing reference to the re-provision of employment floorspace detailed in the Site Vision is too prescriptive and would undermine the principal policy intention of P26.

We do not consider this to be a sound approach given that the Plan prescribes a punitive approach for sites allocated within the Plan which is contradictory to the proposed policy intention set out in draft Policy P26. This diversion from policy would establish a separate approach to allocated and windfall sites, whereby the latter would not be subject to prescriptive thresholds for delivery. We therefore urge the Council to remove this wording from the site allocations.

We trust that our representations for Site Allocation NSP20 will be fully considered by LBS as part of this round of consultation on the New Southwark Plan. We look forward to receiving confirmation that the representations have been received. In the meantime, should you have any questions or require any further information in relation to the above, please contact [REDACTED] at this office.

Yours faithfully,

DP9 Ltd



27 February 2018

New Southwark Plan consultation
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 Chief Executive's Department
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 Southwark Council
 London
 SE1P 5LX

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Dear Sir/Madam,

**NEW SOUTHWARK PLAN – PROPOSED SUBMISSION VERSION
 CONSULTATION**

We are writing on behalf of our client, Blyford Investment Co Ltd, to submit representations to the Proposed Submission Version of the New Southwark Plan.

Our client is the owner of the site at 73-85 Newington Causeway, SE1. The majority of the site has been within their ownership since 1959 with further plots acquired in the 1980s. This site is included within the wider site allocation NSP44 at 63-85 Newington Causeway. Representations have been made on previous versions of the emerging New Southwark Plan dated 28 April 2017.

We welcome the opportunity to make representations on the emerging New Southwark Plan and would like to reiterate our previous comments in relation to the site allocation NSP44.

We support the principle of the allocation of the site within with wider site allocation NSP44 relating to 63-85 Newington Causeway. The recognition that the site can accommodate taller buildings subject to consideration of impacts on existing character, heritage and detailed townscape analysis is supported alongside the overall redevelopment for comprehensive mixed-used scheme. It is also recognised and supported that the future development within the site has capacity to provide high levels of homes and jobs.

We are keen to ensure that maximum flexibility in relation to mixed-use development for this site is maintained through the site allocation to ensure that regeneration areas can reach their full potential in meeting and exceeding targets set by the New Southwark Plan. The intended uses and figures will be crucial to future deliverability and this therefore needs careful consideration.

We remain of the view that in order for future proposals to maximise the redevelopment opportunities for the whole site allocation, it is recommended that the site should be extended to include the properties on the corner of Newington Causeway and Avonmouth Street.

In respect of the Site Vision requirement to provide “at least 50% of the development as employment floorspace” is considered too restrictive and should be amended to “provide employment generating floorspace” to allow for future flexibility in the type of uses that could be provided on site. This description should be added to the Site Vision for the NSP44 site allocation.

We note that the current planning permission for the Southwark Playhouse is a personal permission (application reference: 12/AP/2964). Condition 2 attached to the aforementioned planning permission states that upon vacation of Southwark Playhouse from the building, “the use shall be discontinued and the property will revert back to B1 Use Class”. The existing lawful use of the building is therefore B1 Use Class. It is possible that the Southwark Playhouse could move to a different location in the future which would mean the building would revert back to B1 office use if this were to occur. It is therefore considered that the theatre should not be a ‘required use’ as part of the site allocation.

We support the opportunity for active frontages along Newington Causeway and welcome the flexibility in relation to the variety of land uses in order to improve the vitality and viability of the town centre.

The site allocation relates to a number of different plots that are within a variety of ownerships. In light of this, it is important to consider that the redevelopment of the site allocation could come forward in a number of different phases. We therefore feel it would be more appropriate for the site allocation to acknowledge the various plots within the site description and recognise that redevelopment of the individual plots could come forward at various times within the site vision.

It is important that redevelopment of these plots is not delayed or hampered and the allocation should encourage redevelopment at different stages whilst also ensuring that the redevelopment of individual or multiple plots should future proof the deliverability of the remaining and surrounding plots.

Yours sincerely



DP9 LTD

From: Bobbie C. [REDACTED]
Sent: 23 February 2018 17:33
To: planningpolicy
Subject: Blackpool Road Development re Victorian Old Mill / Church building

Dear Sir / Madam,

Blackpool Road Development re Victorian Old Mill / Church building

Such an intriguing building well worth preserving. So, with large space at ground level and what looks like former chimney potted offices or additional smaller 'mill rooms' above. Love the upper red brick arched line at front that seems incomplete. Also, the front on the road has clearly been messed about with in the past. This Victorian building, surely, has great potential for renovatory community usage. It's all very well saying 'we need housing'. Yes we do - but we also know that when developers get their grubby hands on former public buildings, and more importantly the ground space they milk the space for all its worth by cramming in suspect so called 'desirable residences' that only outsiders will be able to afford.

http://www.peckhamvision.org/wiki/Blackpool_Road

Yours sincerely,
Bob Clark
Longtime Southwark resident

Blackpool Road - Peckham Vision

www.peckhamvision.org

Introduction. This is an industrial site with Blackpool Road running across it from east to west (site 4 in the map below). This site is the second half (the other ...

Blackpool Road - Peckham Vision

www.peckhamvision.org

Introduction. This is an industrial site with Blackpool Road running across it from east to west (site 4 in the map below). This site is the second half (the other ...



DP4622

27 February 2018

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Dear Sir/Madam,

**DRAFT NEW SOUTHWARK PLAN PROPOSED SUBMISSION VERSION
 CONSULTATION (FEBRUARY 2018)
 REPRESENTATIONS ON BEHALF OF BRITISH LAND (CROFT STREET)**

On behalf of our client, British Land Fixed Uplift Fund Limited Partnership, a subsidiary of The British Land Company PLC ('British Land'), we write to submit the following representations to the consultation on the New Southwark Plan, (Proposed Submission Version). The purpose of this consultation is to consult on the soundness and legal implications of the Plan. These representations should be read in this context.

Background

As you will be aware, British Land hold substantial land interests in Southwark, most notably in Canada Water, including Surrey Quays Shopping Centre, the former Harmsworth Quays Printworks and Surrey Quays Leisure Park sites as well as the former Dock Offices.

British Land has a long-term interest in the Croft Street Depot. As detailed in our previous representations to the London Borough of Southwark (LBS), it is important that the Plan and the Site Allocations documents, reflect the prospective development aspirations for the Site. To this end, representatives from DP9 and British Land met with officers at LBS to discuss the content of the Site Allocations Documents in July 2017. The purpose of these discussions was to agree the existing uses and outline the prospective options for the Site which could contribute towards the long-term aspirations of the Plan.

Site Allocation

Removal from the New Southwark Plan

As previously highlighted to officers, the proposed Site Allocation for the Croft Street site (Previous Ref: NSP68) has been removed from the Proposed Submission Version of the New Southwark Plan. This follows the Cabinet Report on the Proposed Submission Version of the New Southwark Plan in November 2017, which stated that:

“The owners confirmed that there is no prospect of redevelopment within the NSP timeframe as the site houses telecoms equipment that cannot be relocated”

The removal of the site is confirmed in the Council’s Consultation Report on the New Southwark Plan Preferred Options: New and Amended Policies, which states that the Site had not been taken forward into the proposed submission version of the Plan. As previously highlighted in our correspondence with LBS on this matter, the Site has been removed in error from the New Southwark Plan. To confirm, the Site is suitable for redevelopment during the plan period, and should therefore be re-included. Currently, only part of the site is used by the current occupant and therefore a significant part or comprehensive redevelopment of the Site could realistically come forward during the lifetime of the Plan.

DP9 has subsequently been in correspondence with Philip Waters at LBS and it has been agreed that options for the Site will be reviewed following this round of consultation in the context of the Examination in Public.

In light of the above, we attach our previous representations on the Preferred Options: New and Amended Policies (June 2017) submitted to LBS in September 2017. We trust that our proposed amendments agreed with LBS officers will be considered in full as part of the inclusion of this Site in the New Southwark Plan.

We ask that officers keep us informed of progress on the New Southwark Plan and in the context of this stage in the plan-making process, agree a timetable at the earliest opportunity in order to review the Site Allocation for inclusion in the New Southwark Plan.

We look forward to receiving confirmation that the representations have been received. In the meantime, should you have any questions or require any further information in relation to the above, please contact [REDACTED] at this office.

Yours sincerely,

[REDACTED]

DP9 Ltd
Enc.

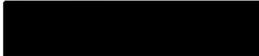
SJH/GECL/DP4622

13 September 2017

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London SW1Y 5NQ

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Also by email to: planningpolicy@southwark.gov.uk

Dear Sir / Madam,

DRAFT NEW SOUTHWARK PLAN PREFERRED OPTION: NEW AND AMENDED POLICIES (JUNE 2017) – REPRESENTATIONS ON BEHALF OF BRITISH LAND

On behalf of our client, British Land Fixed Uplift Fund Limited Partnership, a subsidiary of The British Land Company Plc (British Land), we wish to make representations pursuant to the Draft Area Visions & Site Allocations Amendments within the Draft New Southwark Plan Preferred Option: New and Amended Policies document which was published on 21st June 2017 for consultation until 13th September 2017.

As you are aware, British Land hold substantial land interests in Southwark, most significantly at Canada Water, including the Surrey Quays Shopping Centre, former Harmsworth Quays Printworks and Surrey Quays Leisure Park sites and former Dock Offices. Our client is the owner of the nearby Croft Street Depot, allocated as site ref: NSP68 within the draft document.

It is important that the Draft Site Allocation reflects our client's development aspirations for the site and does not impose onerous restrictions on its redevelopment.

Representatives from DP9 and British Land have discussed the contents of the Site Allocation with the London Borough of Southwark (LBS). It was agreed that adequate flexibility regarding appropriate uses for the site should be reflected in the wording of the Site Allocation, whilst ensuring compliance with current and future draft policy. This flexibility will ensure onerous restrictions do not constrain the potential redevelopment and the client's future aspirations for the site. The amended wording for the Site Allocation appended to this representation is an accurate reflection of what was agreed during these discussions.

NSP68: Croft Street Depot

Existing Uses

We consider the 5,175sqm of existing floorspace identified in the draft Site Allocation over-estimates the storage and distribution floorspace (B8) on site. British Land records indicate 3,209sqm of existing floorspace. To ensure consistency with the proposed wording appended to this representation, reference to 'storage and distribution (B8)' should be replaced by 'data centre'. The

site also includes a secure yard, which is used for car parking. This covers a significant area of the site allocation, therefore car parking should be included under existing uses.

The data centre floorspace is in connection with its existing telecommunications function. These rooms are not fitted out as office suites and are not occupied. This floorspace should therefore be considered as non-employment generating data centre use and should be included as part of the existing uses. Under Policy DM24 (Office and Business Development) of the New and Amended Southwark Plan Preferred Option, currently out for consultation, existing levels of business (B Use Classes) and/or other employment generating floorspace (Sui-Generis Use Class) are to be retained. To maintain flexibility in accordance with draft policy, we propose that the existing data centre use should be classified as a 'non-employment' generating use.

Site Vision, Required Uses & Other Acceptable Uses

The site vision states that any redevelopment must provide "*small business workspace*". It was agreed this wording should be removed as it is overly prescriptive and may undermine the policy intention for the replacement of existing employment floorspace. However, as we have established above, the existing data centre is a non-employment generating use, therefore the replacement or retention of existing levels of business (B Use Class) and/or other employment generating floorspace (Sui-Generis Use Class) under Draft Policy DM24 is not applicable to this site. We therefore propose the removal of wording "*Redevelopment must provide small business workspace*" from the site vision.

Whilst the policy approach in requiring a mixed-use development is supported in principle, the imposition of a prescribed level upon redevelopment is likely to challenge the delivery of these key principles. It is important to recognise that other uses may be equally or more appropriate uses in this location and therefore it is crucial that the Site Allocation allows for this level of flexibility.

It is proposed that 'required uses' and the text relating to the provision of small business floorspace (B1) at existing level of depot or at least 50% of the development (whichever is greater) is removed with 'other acceptable uses' expanded to include employment space as well as residential and data centre use. This additional flexibility is in accordance with draft policy DM24 of the New and Amended Southwark Plan Preferred Option and will ensure its wording is not unduly restrictive to an extent that it would undermine new development and regeneration opportunities. The site vision should be consistent with the proposed wording under 'other acceptable uses'.

In line with the above, it is proposed that the stated 'required uses' and 'other acceptable uses' are agglomerated into a single column titled 'acceptable uses'. If a use is 'acceptable', it should not be prejudiced by prescribed uses within this Site Allocation.

Indicative Development Capacity

We have concerns surrounding the indicative development capacity of the site which is 5,175sqm of small business space (B1) and 56 residential units (C3).

To ensure consistency with the proposed wording and floorspace quantum for the existing uses on the site and draft policy DM24, we advise reference to small business (B1) floorspace and the indicative quantum is revised to 3,209sqm of employment floorspace.

Although we are aware how this quantum has been derived, we request wording to confirm that these figures are purely indicative, are not based on any bespoke capacity calculation and should not be taken as a limit to development capacity at the site. Development capacity should be tested through a planning application.

Design and Accessibility Guidance

The notion that *'development should retain and protect street trees on Croft Street'* is not relevant and not supported by planning policy with the street trees not protected by a Tree Preservation Order. We therefore recommend this wording is removed.

In addition, the fact that the site is not within an archaeological priority zone or conservation area with a Roman coin hoard reported near to the site, does not constitute design and accessibility guidance and will not influence future proposals for the site. We therefore recommend this section be removed in its entirety.

In general, British Land supports the general direction taken by the Draft Area Visions & Site Allocations but requests that the points made in this correspondence and the appended document are taken into consideration.

We look forward to receiving confirmation that the representations have been duly made. Should you have any queries or require any further information on the representations submitted, please contact [REDACTED] of this office.

Yours sincerely,

[REDACTED]

DP9 Ltd
Enc.

New policy

Area Vision: Rotherhithe

NSP68: Croft Street Depot

[Site photo]

Description of site The site consists of a depot building and yard on croft street. Areas to the north and west in Rotherhithe are mainly residential in character but there are several industrial sites nearby to the south and east in Deptford.

Site area	• 4,711 m ²	Existing uses	• Storage and distribution (B8) = 5,175 m ²
------------------	------------------------	----------------------	--

Site vision diagram



© Crown copyright and database rights 2016 Ordnance Survey (0100019252)

Handwritten notes:
Data centre 3209? 5175? check figure

Site vision

Redevelopment must:

- Provide small business workspace

Redevelopment may:

- Provide new housing
- Re-provide a storage depot

Handwritten notes:
replacement employment space
employment

PTAL and Density Area	• 4 • Suburban Density Zone	Indicative development capacity	• Small business space (B1) - 5,175 m ² • Residential (C3) - 56 homes
------------------------------	--------------------------------	--	---

Required uses	• Small business workspace (B1) - at existing level of depot or at least 50% of the	Other acceptable uses	• Residential (C3) • Storage and distribution (B8) Datacentre
----------------------	---	------------------------------	---

Handwritten notes:
Replacement³² employment

	development (whichever is greater)	
Design and accessibility guidance	Development should retain and protect street trees on Croft Street. Croft street is not within a within a an archaeological priority zone or conservation area. A Roman coin hoard was reported from Chilton Grove nearby.	

New policy

Area Vision: Dulwich

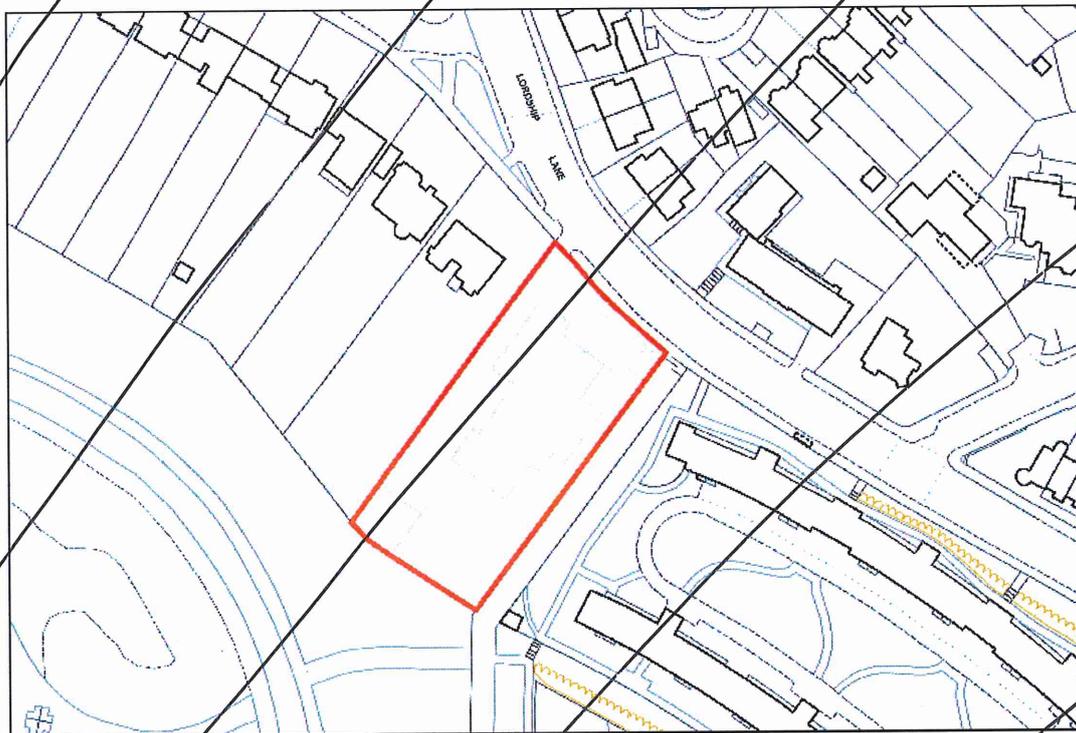
NSP69: Dulwich Telephone Exchange, 512 Lordship Lane

[Site photo]

Description of site The site is located on Lordship Lane in a mainly residential area, with Dulwich Park to the south, and contains a telephone exchange.

Site area	• 2,894 m ²	Existing uses	• Telephone exchange (sui generis) – 1,513 m ²
------------------	------------------------	----------------------	---

Site vision diagram



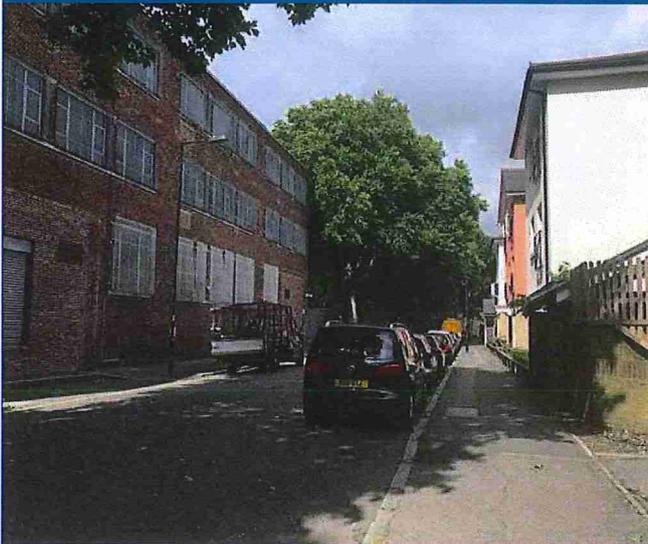
Site vision	Redevelopment must: • Provide new housing or extra care housing Redevelopment may: • Re-provide a telephone exchange		
PTAL and Density Area	• 2 • Suburban density zone	Indicative development capacity	• Residential (C3) – 85 homes
Required uses	• Residential (C3) or	Other acceptable	• Telephone

New policy

Area Vision: Rotherhithe

NSP68: Croft Street Depot

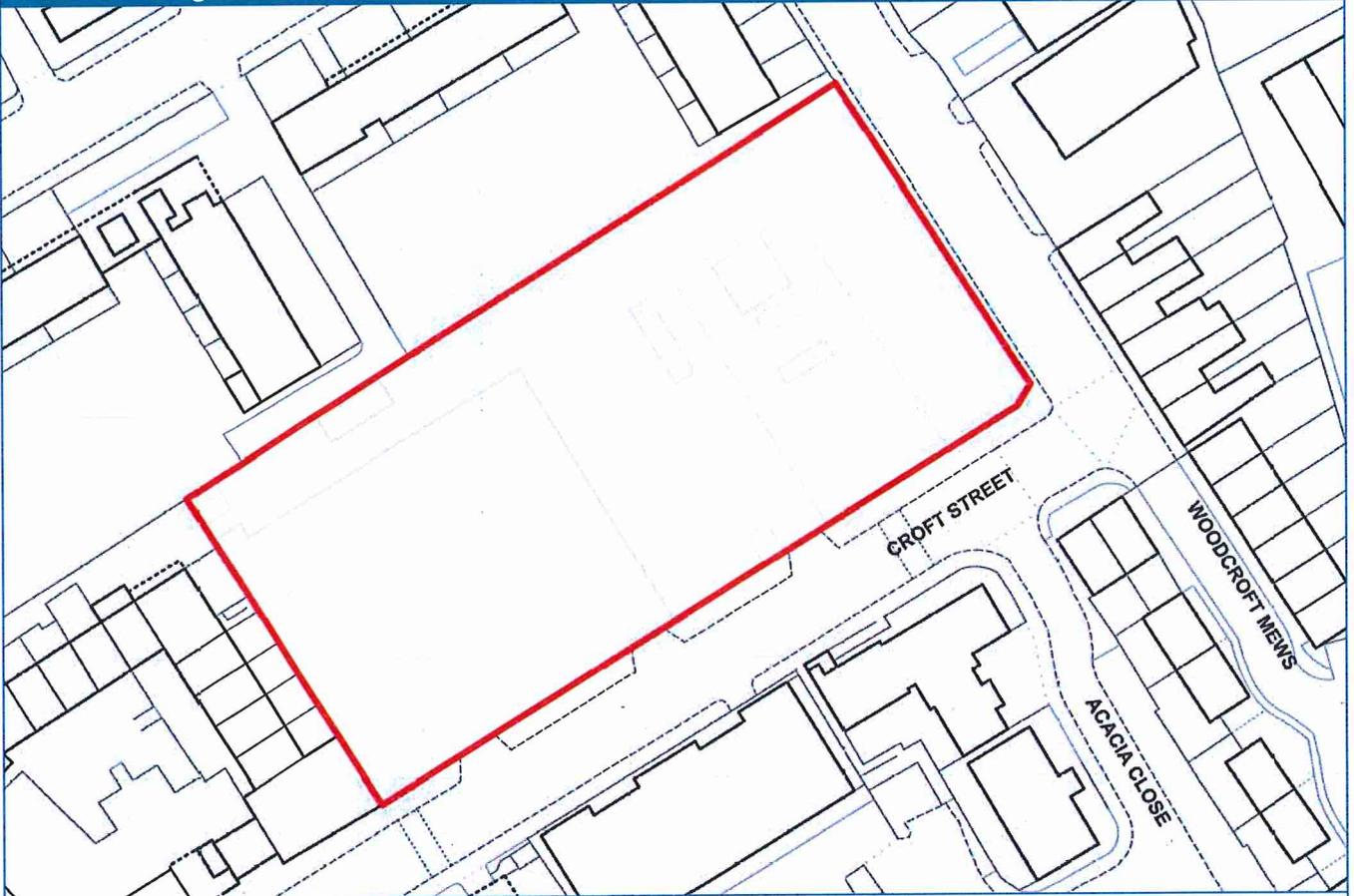
Rotherhithe



Description of site The site consists of a depot building and yard on croft street. Areas to the north and west in Rotherhithe are mainly residential in character but there are several industrial sites nearby to the south and east in Deptford.

Site area	<ul style="list-style-type: none"> • 4,711 m² 	Existing uses	<ul style="list-style-type: none"> • Storage and distribution (B8) – 5,175 m² • <i>NOW - EMPLOYMENT (DATA CENTRE) - 3,209 m²</i> • <i>CAR PARKING</i>
------------------	---	----------------------	---

Site vision diagram



- Site boundary
- Opportunity for active frontages
- Opportunity for public open space
- ↔ Improved connectivity for pedestrians and cyclists

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Site vision

Redevelopment of the site must:

- Provide ~~small business workspace.~~

Redevelopment may:

- Provide new housing;
- Re-provide a ~~storage depot.~~ **DATA CENTRE**
PROVIDE EMPLOYMENT SPACE

<p>PTAL and Density Area</p>	<ul style="list-style-type: none"> • 4 • Suburban Density Zone 	<p>Indicative development capacity</p>	<ul style="list-style-type: none"> • Small business space (B1) - 5,175 m² • Residential (C3) - 56 homes • EMPLOYMENT - 3,209 m² <p>NOT A LIMIT TO DEVELOPMENT CAPACITY, WHICH IS TESTED THROUGH A PLANNING APPLICATION</p>
<p>Required uses</p>	<ul style="list-style-type: none"> • Small business workspace (B1) - at existing level of depot or at least 50% of the development (whichever is greater) 	<p>Other acceptable uses</p>	<ul style="list-style-type: none"> • Residential (C3) • Storage and distribution (B8) • DATA CENTRE • EMPLOYMENT
<p>Design and accessibility guidance</p>	<p>Development should retain and protect street trees on Croft Street.</p> <p>Croft street is not within a within a an archaeological priority zone or conservation area. A Roman coin hoard was reported from Chilton Grove nearby.</p>		


Outdoor Advertising Consultant


New Southwark Local Plan Consultation
FREEPOST SE1919/14
Chief Executive's Dept
5th Floor Hub 2
Southwark LBC
London SE1P 5LX

31 January 2018

Dear Sir/Madam,

Southwark LBC - New Southwark Plan – Submission Draft, January 2018

These representations are submitted on behalf of the British Sign and Graphics Association in response to Policies P34 and P40 and supporting text of the above draft Local Plan.

The BSGA represents 65% of the sales of signage throughout the UK and monitors development plans throughout the country to ensure the emerging Local Plan Policies do not inappropriately apply more onerous considerations on advertisements than already apply within the NPPF, Planning Practice Guidance (PPG) and the Town and Country Planning (Control of Advertisements)(England) Regulations 2007 (as amended).

We commented on the "Issues" draft of this plan and are glad to see that the policies and text have been substantially revised to take account of our representations. We have carefully considered the proposed policies within this Submission draft of the New Local Plan and are content that they mostly accord with national planning policy and guidance.

However, Policy P40 contains criteria 5 concerning "healthy behaviours". The Regulations do not permit control to be exercised over the content of any advertisement unless required in the interests of amenity or public safety. Criteria 5 and the final sentence of the supporting Reasons seek to influence the content of the actual advertisement; and this proposed additional control is not justified by the interests of amenity or public safety. As provided in Regulation 3(4) of the 2007 Regulations:

"Unless it appears to the local planning authority to be required in the interests of amenity or public safety, an express consent for the display of

advertisements shall not contain any limitation or restriction relating to the subject matter, content or design of what is to be displayed."

Policy P40 criteria 5 and the final sentence of the supporting Reasons must therefore be deleted to accord with the law.

It is hoped that these comments are found to be useful and informative, if you have any further questions, please contact me.

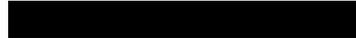
Yours faithfully

A large black rectangular redaction box covering the signature area.A smaller black rectangular redaction box covering the name area.

BERMONDSEY VILLAGE ACTION GROUP

BVAG

INFORMATION OFFICE 14 CRUCIFX LANE LONDON SE1 3JW BVAG.NET


 Southwark Council
 160 Tooley Street
 London
 SE1 3QN

27 February 2018

Re: New Southwark Plan Proposed Submission Version

In various respects we consider that the proposed submission of the New Southwark Plan is unsound.

'Site allocation - NSP53' and 'Tall buildings – P14' policies are clearly intended to facilitate High-Rise buildings on St Thomas St. The former in particular aims to drive a high-rise wedge between the listed arches in St Thomas St and the Bermondsey St Conservation area, the heritage assets of the Vinegar Yard warehouse and the Horseshoe pub.

NSP 53 has not been genuinely consulted upon. The only 'consultation' that the Council engaged in was in relation to a version that was ill-conceived, obsolete, inadequately explained and failed give any coherent account of what it is intended to endorse by way of development.

The site brief presents itself as authorising 'tall buildings' but there is no indication as to how or such buildings could be incorporated on the site, nor any indication of acceptable heights, contrary to the London Plan. Neither is there any explanation of how tall buildings represent considered development potential where the site is interposed between the listed St Thomas St viaduct arches and the acknowledged unlisted heritage assets of the Horseshoe pub and the Vinegar Yard warehouse, as well as the Bermondsey St conservation area, to the south.

The site brief relates to a site that does not exist as a distinct site, either as to ownership or coherence. It takes in the Vinegar Yard warehouse and other parts of the conservation area. If, as the Council have told us (verbally only), the site brief is intended to be clear that the warehouse is to be preserved then (a) it should say so in terms, and (b) it should be amended to remove the warehouse from the site plan as the land it occupies is not available for new development in any case. Consequently, the proposed development area and proposed uses are unintelligible and unachievable whilst meeting other stipulations in the brief. I.e. it is internally inconsistent.

Further, the site is shown to include the public thoroughfare of Vinegar Yard. On the other hand, the Council has confirmed to us (again only verbally) that they have no intention of handing over Vinegar Yard to a developer. This should be explicit and without such clarity the brief exhibits further unacceptable ambiguity. It also affects significantly the site area. There is no reasoning or evidence to support the policy of introduction of residential development in this location, which is elsewhere argued by the Council to be exclusively suited to business or other non-residential uses. Certainly there is no consideration shown as to how residential development in this location could contribute to housing other than at the very top end of the price spectrum, alien to local people and contributing nothing to the stock of affordable housing.

The reason that the site brief is unintelligible is clear: There has been no properly considered assessment of the site and its capacity for development or the relationship between feasible density, building heights and the insufficiently particularized, but nevertheless acknowledged, constraints presented by immediate heritage assets and conservation and townscape considerations. The Council has been called upon repeatedly to give a coherent methodology for their arrival at the terms of the site allocation but they have consistently refused to do so. In practice, the only basis for the site allocation as it stands is compliance with demands from developers in disregard of local consultations carried out by the Old Bermondsey Village Neighbourhood Forum (OBVNF).

The Council carrying out proper consultation and not ignoring the results can address all the defects listed above. They must abandon the intentional ambiguity in the site brief and be specific about what is intended and the evidence on which it is based. There should be clear statements on what is to be preserved of the affected heritage assets, that Vinegar Yard is to remain a public road and, if the brief is to endorse tall buildings, specify their height limits and locations to which they are said to be suited.

The Council has no considered or consulted-upon tall buildings policy. Instead it is operating a make-it-up-as-we-go-along strategy driven by aspirations to obtain money from developers.

This is not compliant with the London Plan, nor is it the product of any proper consideration or consultation. In particular, there is no specification of locations in which tall buildings will be acceptable, less still any reasons why. Consequently, there is also no specification of any maximum heights that may be acceptable where high-rise is.

Complying with the London Plan by identifying any locations where high-rise will be considered and specifying the maximum heights that may be acceptable is a clear way to make the New Southwark Plan sound.

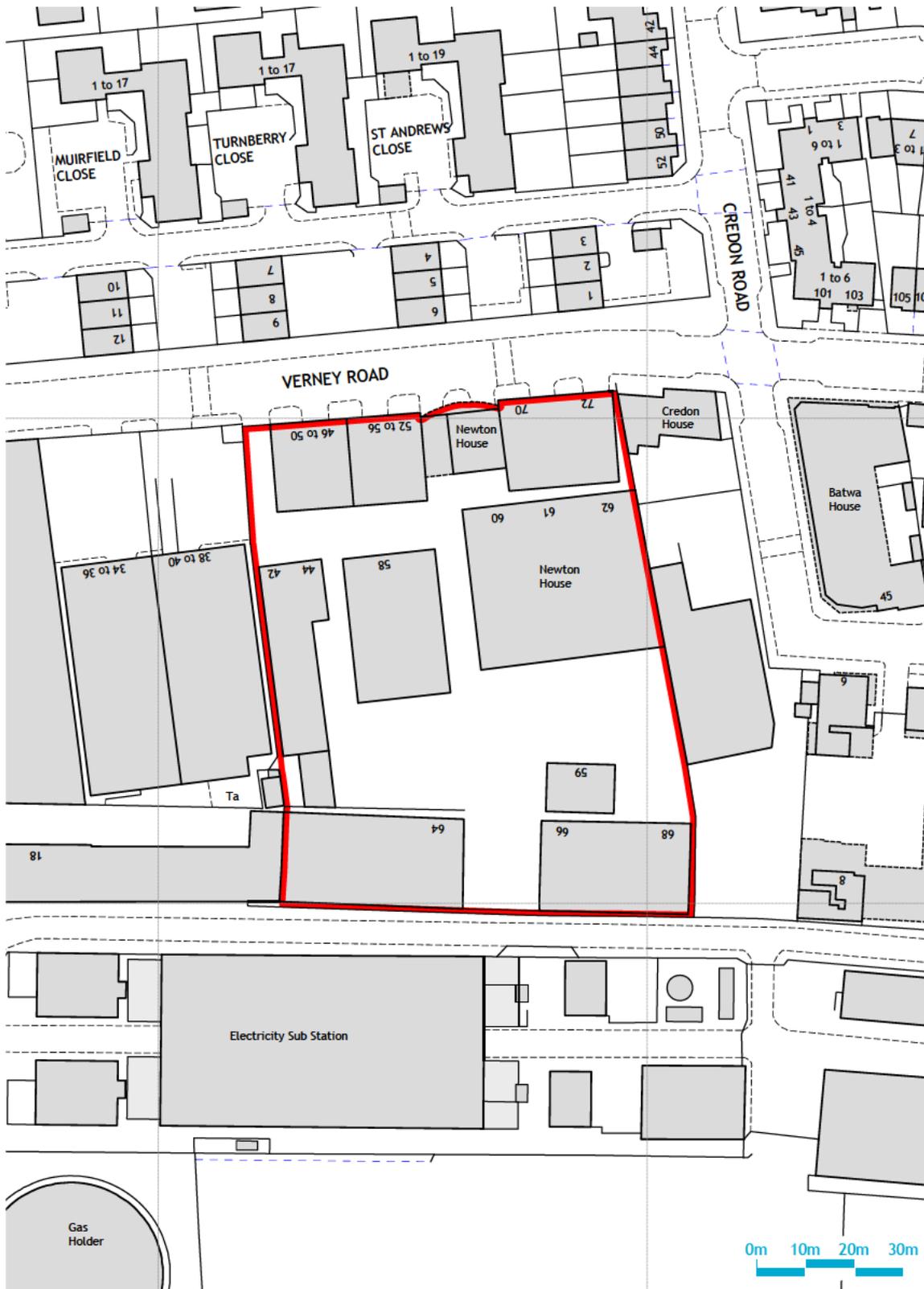
Yours sincerely

[Redacted signature]

[Redacted name]

cc.

[Redacted email address]



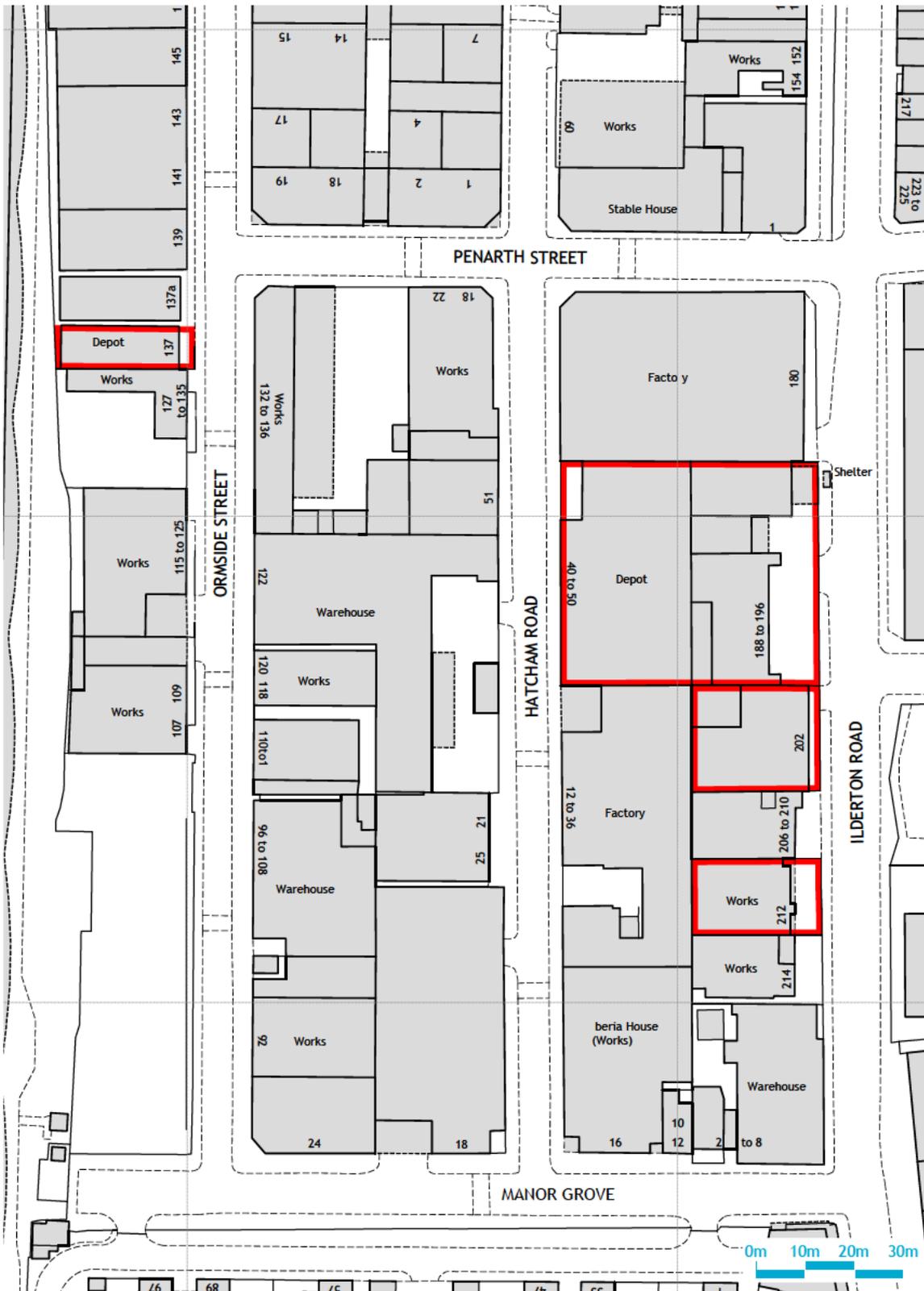
SITE LOCATION PLAN
 T Marchant Trading Estate
 Verney Road
 BERMONDSEY



Scale @ A4 : 1:1250
 Plan No. : 17-00415_SLP01

RAPLEYS
 rapleys.com

LONDON
 BIRMINGHAM
 BRISTOL
 EDINBURGH
 HUNTINGDON
 MANCHESTER



SITE LOCATION PLAN
 Ilderton Road/Ormsbury Street
 BERMONDSEY



Scale @ A4 : 1:1250
 Plan No. : 17-00415_SLP02

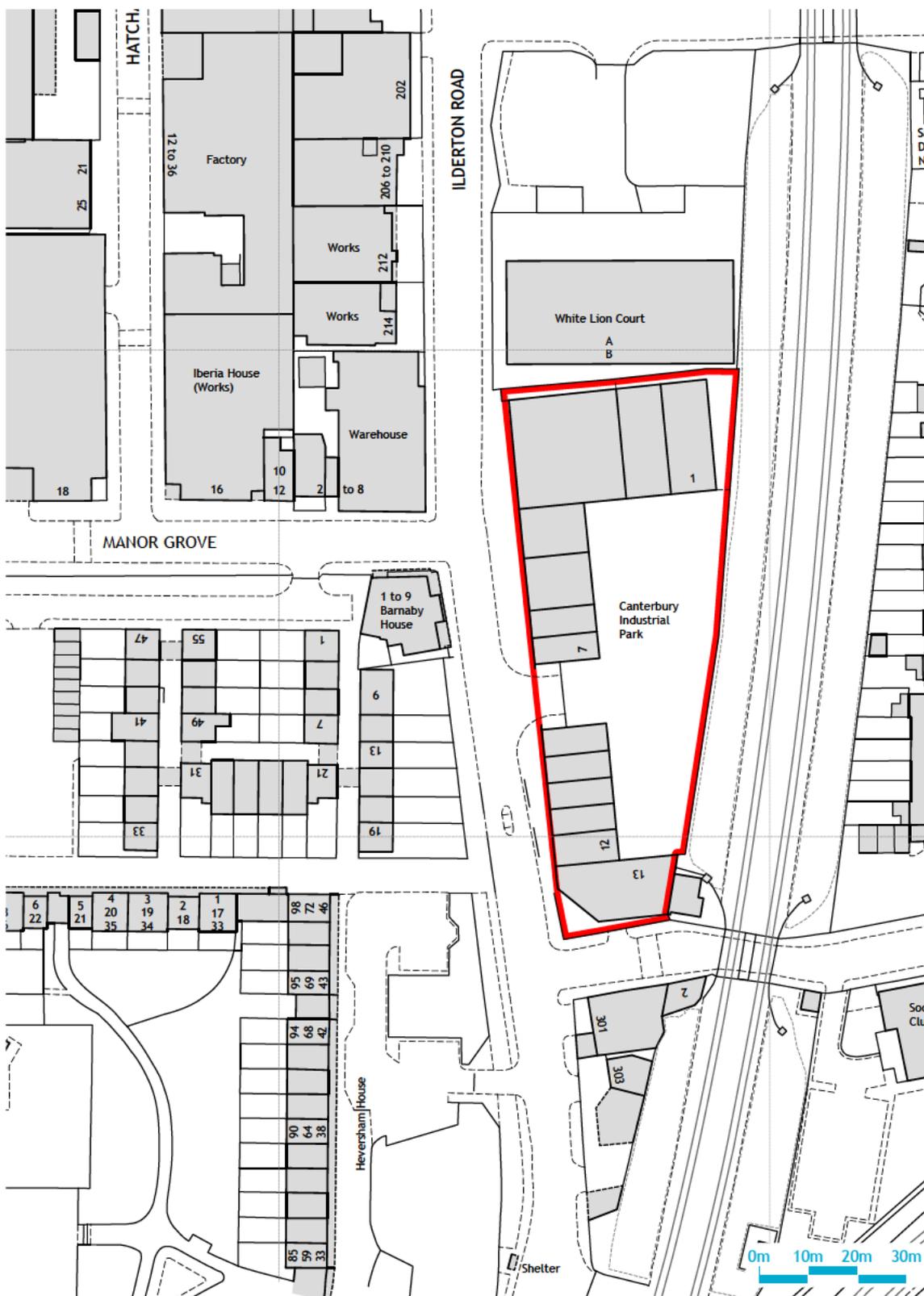


LONDON
 BIRMINGHAM
 BRISTOL
 EDINBURGH
 HUNTINGDON
 MANCHESTER

This map is for identification purposes only and should not be relied upon for accuracy.

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SITE LOCATION PLAN
 Canterbury Industrial Park
 Ilderton Road
 BERMONDSEY



Scale @ A4 : 1:1250
 Plan No. : 17-00415_SLP03

RAPLEYS
 rapleys.com

LONDON
 BIRMINGHAM
 BRISTOL
 EDINBURGH
 HUNTINGDON
 MANCHESTER

New Southwark Plan Proposed Submission Version representations form

Part A: Contact details

If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in the next section.

1: Personal details

Title:	<input type="text"/>
First Name:	<input type="text"/>
Last Name:	<input type="text"/>
Organisation (Where relevant):	<input type="text" value="Capital Industrial LLP"/>
Position (Where relevant):	<input type="text"/>
Address line 1:	<input type="text" value="c/o agent"/>
Address line 2:	<input type="text"/>
Address line 3:	<input type="text"/>
Postcode:	<input type="text"/>
Email:	<input type="text"/>
Telephone:	<input type="text"/>

2. Agents details (if applicable)

Title:	<input type="text" value=""/>
First Name:	<input type="text" value=""/>
Last Name:	<input type="text" value=""/>
Organisation:	<input type="text" value="Roplevs LLP"/>
Position:	<input type="text" value="Senior Associate"/>
Address line 1:	<input type="text" value=""/>
Address line 2:	<input type="text" value="London"/>
Address line 3:	<input type="text"/>
Postcode:	<input type="text" value=""/>
Email:	<input type="text" value=""/>
Telephone:	<input type="text" value=""/>

Part B: Representation

Please select **one** policy per form to select which part of the plan you wish to make a representation on. The one option you select should be the item you should be commenting on in the subsequent boxes below. If you want to comment on more than one part of the plan, please submit part B again.

1. To which part of the New Southwark Plan does this representation relate to?

Implementation policy:	<input type="text"/>
Development Management policy:	<input type="text" value="P38"/>
Area Vision:	<input type="text"/>
Site Allocation:	<input type="text"/>
Proposal Map:	<input type="text"/>
Other:	<input type="text"/>

2. Do you consider the document to be legally compliant in accordance with the Town and Country Planning (Local Planning) (England) Amendment Regulations 2012?

- Yes
 No

3. Do you consider that the New Southwark Plan is Sound?

- Yes
 No

4. Do you consider that the New Southwark Plan is unsound because it is not?

- Effective
 Justified
 Consistent with national policy and the London Plan
 Positively prepared

5. Please give details of why you consider the New Southwark Plan not to be legally compliant or unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the New Southwark Plan, please also use this box to set out your comments.

Please see the accompanying letter of representations.

6. Please set out what change(s) you consider necessary to make the New Southwark Plan legally compliant or sound. You will need to say why this change will make the New Southwark Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible

Please see the accompanying letter of representations.

Part D: Public Examination (required)

If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral examination

Yes, I wish to participate at the oral examination

It is vital that your contact details are submitted correctly to ensure that you can be contacted if you wish to participate in the public examination. Please tick the checkbox to confirm that the details which have been provided are correct.

I confirm that all details provided are correct

Part E: Equalities monitoring

Equality and engagement with our diverse communities is central to the day to day delivery of our Southwark Council Services. To deliver on our commitment to a fairer future, we need to collect some equality information about you. This also forms part of our legal responsibilities under the Public Sector Equality Duty of the Equality Act (2010).

We would therefore appreciate it if you could spend a few minutes filling in the details below. This information helps us to measure and analyse how well we are engaging with all those who live and work in the borough. Please do remember that whilst this information is very useful for our work, you are not obliged to answer or complete any or all of this information. Southwark Council is the data controller for the purposes of the Data Protection act.

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Email:	<input type="text"/>
Telephone:	<input type="text"/>

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Title:	<input type="text" value="██████"/>
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Development Management policy:	<input type="text"/>
Area Vision:	<input type="text"/>
Site Allocation:	<input type="text"/>
Proposal Map:	<input type="text" value="SIL designation adjacent to NSP69"/>
Other:	<input type="text"/>

2. Do you consider the document to be legally compliant in accordance with the Town and Country Planning (Local Planning) (England) Amendment Regulations 2012?

Yes

No

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Consistent with national policy and the London Plan

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1. To which part of the New Southwark Plan does this representation relate to?

Implementation policy:	<input type="text"/>
Development Management policy:	<input type="text" value="P9"/>
Area Vision:	<input type="text"/>
Site Allocation:	<input type="text"/>
Proposal Map:	<input type="text"/>
Other:	<input type="text"/>

2. Do you consider the document to be legally compliant in accordance with the Town and Country Planning (Local Planning) (England) Amendment Regulations 2012?

- Yes
 No

3. Do you consider that the New Southwark Plan is Sound?

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 No

4. Do you consider that the New Southwark Plan is unsound because it is not?

- Effective
 Justified
 Consistent with national policy and the London Plan
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5. Please give details of why you consider the New Southwark Plan not to be legally compliant or unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the New Southwark Plan, please also use this box to set out your comments.

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Implementation policy:	<input type="text"/>
Development Management policy:	<input type="text"/>
Area Vision:	<input type="text"/>
Site Allocation:	<input type="text" value="SNP67"/>
Proposal Map:	<input type="text"/>
Other:	<input type="text"/>

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Please see the accompanying letter of representations.

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Position (Where relevant):	<input type="text"/>
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2. Agents details (if applicable)

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Last Name:	<input type="text" value="██████"/>
Organisation:	<input type="text" value="Roplevs LLP"/>
Position:	<input type="text" value="██████████████"/>
Address line 1:	<input type="text" value="██████████████████"/>
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Postcode:	<input type="text" value="██████"/>
Email:	<input type="text" value="██████████████████"/>
Telephone:	<input type="text" value="██████████"/>

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1. To which part of the New Southwark Plan does this representation relate to?

Implementation policy:	<input type="text"/>
Development Management policy:	<input type="text"/>
Area Vision:	<input type="text"/>
Site Allocation:	<input type="text" value="NSP69"/>
Proposal Map:	<input type="text"/>
Other:	<input type="text"/>

2. Do you consider the document to be legally compliant in accordance with the Town and Country Planning (Local Planning) (England) Amendment Regulations 2012?

- Yes
 No

3. Do you consider that the New Southwark Plan is Sound?

- Yes
 No

4. Do you consider that the New Southwark Plan is unsound because it is not?

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 Justified
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 Positively prepared

5. Please give details of why you consider the New Southwark Plan not to be legally compliant or unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the New Southwark Plan, please also use this box to set out your comments.

Please see the accompanying letter of representations. The premises on the western side of Ormside Street should be included in the allocation.

6. Please set out what change(s) you consider necessary to make the New Southwark Plan legally compliant or sound. You will need to say why this change will make the New Southwark Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible

Please see the accompanying letter of representations. Include the properties on the western side of Ormside Street.

Part D: Public Examination (required)

If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral examination

Yes, I wish to participate at the oral examination

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WH/17-00415

27 February 2018

Southwark Council
Planning PolicySubmission by Email: planningpolicy@southwark.gov.uk51 Great Marlborough Street,
London W1F 7JT


LONDON
BIRMINGHAM
BRISTOL
EDINBURGH
HUNTINGDON
MANCHESTER

Dear Sir/Madam

**Re: New Southwark Plan – Proposed Submission Version Consultation – Representations on behalf of
Capital Industrial LLP**

We act on behalf of Capital Industrial LLP and are instructed to submit representations to the above consultation. We request that these representations are taken into full consideration as part of the current consultation.

Background

Our client is the freehold owner of several industrial properties located in the Old Kent Road Opportunity Area. These are T Marchant Trading Estate on Verney Road, 40-50 Hatcham Road, 188-196 and 202 Ilderton Road, and 137 Ormside Street, and Canterbury Industrial Park on Ilderton Road. The accompanying site location plans (ref: 17-00415_SLP01, 17-00415_LSP02 and 17-00415_SLP03) identify our client's ownership. These sites are currently occupied by industrial/warehousing operators. Our client has invested in refurbishment of some of the premises as they wish to ensure high occupancy, until the sites can be brought forward for redevelopment in the medium to long term. Bearing in mind that the wider area's strategic planning objective as the Old Kent Road Opportunity Area ('OKROA') both in the adopted and emerging new London Plan and the emerging new Southwark Plan, our client recognises that their sites are key part in facilitating the Mayor and the Council's strategic visions and regeneration objectives for the OKROA. As such, they wish to ensure that there is a positive planning policy framework for securing viable and deliverable redevelopment of our clients' sites, while ensuring that the sites' existing tenants/operations are not undermined by developments coming forward in the short term.

Our representations, as set out below, are based on the tests of soundness (whether it is justified, effective or consistent with national policy) as set out in the National Planning Policy Framework ('NPPF').

Representations**Policy P9 Optimising delivery of new homes**

This policy allows for development which exceeds the residential density range in exceptional circumstance where it achieves an exemplary standard of residential design. We consider that optimising housing density is necessary for regeneration areas such as the OKROA and it should be based on a design-led approach, as the emerging New London Plan suggests. Consideration should be given to a number of factors including the site's context and relationship with adjoining uses/sites and their regeneration schemes. In particular, for sites within the OKRPA where there are extensive regeneration schemes coming forward, high density should be achieved through a coordinated delivery of regeneration (to be secured through the AAP).

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As such, we consider that allowing residential development which exceeds the residential density range based on the scheme satisfying an exemplary design standard has the potential to disregard the potential prejudicial impact on adjoining development sites. We therefore *object* to this policy and consider that this policy should be amended to include a criterion which seeks to ensure that the applicant demonstrates that it does not undermine or prejudice regeneration of the adjoining sites coming forward.

We consider that this change is necessary to ensure the delivery of the Local Plan as a whole, whilst ensuring that delivery of new homes is optimised.

Policy P11: Design of places

The policy requires all development to comply with the requirements set out in the policy. The requirements include the provision of adequate outdoor seating (as part of public realm) for residents and visitors (criterion 1.9). We consider that this is an onerous and inappropriate requirement, depending on the scale and nature of development. We therefore *object* to criterion 1.9 and consider that it should be removed from the policy to ensure that regeneration sites will not be burdened by a policy requirement which has not been justified as necessary or appropriate for all developments.

Policy P13: Residential Design

Developments in the OKROA will likely be delivered in phases as some sites, including our clients' sites will remain operational until such time that the sites can be developed. Furthermore, the OKROA is expected to deliver a mixed use development including residential and industrial/commercial uses. As such, residential design should ensure that residential amenity is protected from both existing and future non-residential uses from the development itself and adjoining sites. As this vital consideration is not included in the policy, we *object* and request that this particular consideration is included as a residential design requirement in order to ensure that there will be no conflict between residential use and industrial/commercial use.

P28: Small and independent Businesses

The policy states that development must retain small and independent businesses at risk of displacement from it, through giving full consideration of the feasibility of providing affordable and suitable space for existing occupiers in the completed development. Our client is experienced in managing a number of industrial estates in London and seeks to ensure that existing businesses are retained wherever possible after redevelopment/refurbishment. However, that is not always practically feasible due to a number of factors and constraints including matters which are outside the landowner's control.

For example, at the point of lease expiring, landowners are not under contractual obligation to extend the lease, and such a control is beyond which the planning system should exercise. Another example is that the retention would mean that existing tenants will need to move to alternative arrangements during the construction period. However, the tenants are unlikely to relocate to a temporary accommodation as they would have to move twice, which results in business interruptions and the associated loss of revenue twice – in other words, the retention of businesses is not entirely in the landowner/applicant's control. Furthermore, the type of new business space in the regeneration sites may not be suitable for some existing tenants, due to servicing arrangements not suitable for their operation or any operational restrictions imposed on business uses in light of the introduction of residential use.

While our client as the landowner embraces the principle of giving consideration to the feasibility of providing affordable and suitable space for existing occupiers, this must be considered in the context of commercial

viability of the scheme as a whole. The word “must” means that planning permission will be refused if small and independent businesses are not retained. This disregards commercial factors and viability and has the potential to prevent regeneration schemes, which normally have a number of constraints to address and therefore cost implications, from coming forward.

We therefore **object** to the wording of the Policy and it should be amended as follows:

Development must:

*1 ~~seek to Rretain~~ small and independent businesses, **wherever feasible and practically possible.** ~~Where existing small and independent businesses are at risk of displacement from a development~~ There should be full consideration of the feasibility of providing affordable and suitable space for existing occupiers in the completed development, **subject to viability and deliverability**; and*

2 Incorporate well designed and flexible units suitable for small and independent businesses. These must include a range of unit sizes and types. Opportunities for long term management of small business units by workspace providers should be fully explored. Furthermore there should be consideration of the feasibility of clustering non-residential uses in single use buildings (horizontal mixed use) and a full fit out.

P38: Business Relocation

The policy states that where existing or independent businesses or small shops are displaced by development a business relocation strategy, setting out viable relocation options and written in consultation with affected businesses, must be provided. The policy goes on to list information which must be included in business relocation strategies. This expands to include specific business requirements including servicing, fit out and lease terms, and temporary relocation arrangements, where existing businesses are accommodated in new development schemes. Relocation strategies are required to include extensive information including identification of alternative premises in Southwark or in adjacent boroughs and collaboration with other landowners to establish whether suitable workspace for existing businesses could be accommodated in different phases of the development programme.

Our client recognises that small businesses may require additional support to relocate or to mitigate risks to the business where they are affected by redevelopment. However, we consider that the requirements of Policy 38 are overtly onerous and place a significant burden on the applicant (who may not be the landowner), which goes beyond the control under the planning system. In particular, Old Kent Road is designated as an Opportunity Area where growth in the number of jobs and housing is to be delivered through regeneration of the area, which includes a large number of industrial estates.

Whilst our client as the landowner of the industrial units will seek to ensure that existing small businesses are retained wherever feasible and viable to do so, it is considered that the list of information required in the business relocation strategy is onerous and beyond the control of the planning system that the applicant is expected to bear the full responsibility and commercial risks of small businesses.

As mentioned above, from our client’s experience, relocation to a temporary accommodation would result in small businesses relocating twice in a short period of time, this is unlikely to be acceptable to many tenants, particularly as any short term lease would be at a premium rent. There are a number of factors outside of the landowner/applicant’s control and the policy disregards the process it would take to facilitate a tenant’s occupation. Ultimately, the requirements of the policy which put the entire responsibility of the existing tenants’ relocation (both temporality and permanently) onto the applicant (which could either be a developer

or a landowner) would place a significant and unreasonable burden on the applicant. This is a significant policy burden which would threaten the development viability, which is contrary to the NPPF paragraph 173.

We therefore **object** to this policy and consider that it should be amended as follows:

1. Where existing small or independent businesses or small shops are displaced by development a business relocation strategy, written in consultation with affected businesses, must be provided. The business relocation strategy must set out ~~viable potential~~ relocation options.

2. All business relocation strategies must include:

- i. Existing levels of non-residential floorspace (GIA) separated by use class, including vacant units and yards; and*
- ii. Schedule of existing businesses operating on the site including business sector, estimated number of employees and lease terms; and*
- iii. Proposed levels of non-residential floorspace (GIA); and*
- iv. Details of engagement with existing businesses on-site regarding re-provision of premises or relocation options; and*
- v. Details of engagement with the council and workspace providers to secure occupiers for new employment space.*

~~*3. Where existing businesses are accommodated in new development schemes the strategy should include:*~~

- ~~*i. Specific business requirements **including servicing, fit out and lease terms**; and*~~
- ~~*ii. Temporary relocation arrangements or scheme phasing to allow the continuation of the business during construction. Temporary relocation should be **contained on site or as close to the original site as possible**.*~~

4. Where existing businesses are proposed to be relocated the strategy should include:

- i. Reasons why existing businesses cannot be located on-site;*
- ii. Details of relocation options explored with individual businesses ~~and the assistance that will be provided~~. **Evidence should be given that the relocation option is suitable for the viable continuation of the business;***
- iii. Identification of **potential** alternative premises in in Southwark. Where no suitable sites exist, sites should be identified in adjacent boroughs;*
- iv. Statements from existing businesses should they wish to cease trading rather than relocate;*
- ~~*v. **Collaboration with other landowners to establish whether suitable workspace for existing businesses could be accommodated in different phases of the development programmes.***~~

Old Kent Road OA

Our client's sites are designated in the following key development opportunity sites in Old Kent Road:

NSP67 (Sandgate Street and Verney Road) – T Marchant Trading Estate
 NSP69 (Hatcham Road and Penarth Street) - 40-50 Hatcham Road, 188-196 and 202 Ilderton Road.
 NSP70 (Ilderton Road) – Canterbury Industrial Estate.

We support the strategic objectives for Old Kent Road with significant growth opportunities both in terms of residential units and jobs, through regeneration of the area. We agree that the emerging Old Kent Road Area Action Plan should identify more detailed opportunities for growth. We also request that the role of the Area Action Plan should be made clear in that it should provide a clear masterplan and delivery mechanism to ensure coordinated delivery of major regeneration of the area. We consider this to be necessary so that

strategic infrastructure requirements (such as public open space) are delivered whilst ensuring the deliverability and viability of each development sites.

With regard to “New Greenspace” identified on the Old Kent Road Vision Map, the delivery mechanism and feasibility for this strategic infrastructure have not yet been considered. It is also not clear whether land is available to deliver the extent of the greenspace identified on the Vision Map without undermining the deliverability and viability of the allocated development sites. Therefore, the Vision Map should make clear that “New Greenspace” is indicative.

With regard to the Proposals Map, we consider that properties on the western side of Ormside Street (including our client’s site Unit 137) should be de-designated from the SIL for inclusion within NSP69 allocation, as it directly adjoins the regeneration area which will include residential use. The row of premises between the existing recycling centre (which is not identified as a development opportunity area) and NSP69 offers a development opportunity which would contribute significantly to economic growth and the regeneration objective of the OKROA. However, if they are excluded from the development allocation as part of the regeneration of the wider area, there is a significant risk that the row of the premises may not come forward for redevelopment/ regeneration due to the lack of coordinated delivery of the wider regeneration and infrastructure requirements. Therefore, for the effectiveness of the Plan, we consider that the properties on the western side of Ormside Street should be de-designated from the SIL and included in NSP69.

Conclusion

We consider that the Proposed Submission New Southwark Plan is unsound as currently drafted, as detailed above. Whilst we support the strategic objectives and policies for the Old Kent Road Opportunity Area, we consider that there are a number of policy requirements which could undermine the delivery of a viable development scheme.

We request your acknowledgment of receipt of submission and keep us informed on the next stages of the Local Plan process. Should you require any further information, please contact [REDACTED] on the contact details below.

Yours sincerely,

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

OBJECTIONS TO NSP SUBMISSION Old Kent Road Area proposals

Name: Catriona Sinclair Address: [REDACTED]

Email: [REDACTED] Telephone: [REDACTED]

I would like to take part at the oral examination / public hearing).

TOPIC Policy Number + Name OR Site Number + Name	Test of Soundness to which objection relates	OBJECTION / TEST OF SOUNDNESS
AV.12.1	Internal inconsistency	<p>The Old Kent Road contains more than “pockets of heritage surviv[ing] from different eras including the Livesey gasworks and the ceramic mural which tells the story of the Old Kent Road.” There are many buildings which must be protected in the development. The NSP only refers to “reinforc[ing] the high street” in various development sites. If Southwark Council does not protect these buildings they will be lost. As it mentioned in P11 “Research in the Old Kent Road area has shown that character ... influences community cohesion ...”</p>
AV.12.2	Not effective	<p>“Link[ing] existing open spaces like Burgess Park to each other and new park spaces to provide a “Greener Belt” network accommodating play, sports, growing spaces, nature and places to just sit and contemplate” sounds promising. However, the Surrey Canal Linear Park [OKR NSP65 and 67] looks like a transport (cycling) corridor which cannot provide adequate play spaces etc. If building developments contribute to this type of limited green space then local people will be short changed. The extant Surrey Canal Walk has proved inadequate in providing play space or somewhere to relax.</p>
AV12.3	Not internally consistent nor effective and not consistent with New London Plan	<p>“The Area Action Plan will identify the opportunities for growth and benefits for local communities including ... a new major town centre for shopping”.</p> <p>“Town centre” is mentioned in: OKR NSPs 55, 58, 60, 62, 63, 65, 66, 68, 71, 72 73, 74 which spreads a long way along the Old Kent Road. It is not clear where or what is proposed by a town centre in the NSP.</p> <p>Tall buildings are mentioned in OKR NSPs 55, 57, 65, 66, 67, 68, 70, 71, 72. Again this is a wide spread area which does not suggest conforming to the prerequisites of P14 nor to good planning -- see NLP Chapter 1 Planning London’s Future (Good Growth Policies)</p> <p>Taller buildings along the Old Kent Road are currently: Bird in Bush Road: 14 storeys; Rotherhithe New Road: 19 storeys; Avondale Square 20/21 storeys; Leyton Square: 4/6 storeys. What constitutes a tall building has not been defined for the Old Kent Road nor the proposed frequency or density.</p>

<p>OKR NSP55: Brick-layers Arms</p>	<p>Internal inconsistency and Inconsistent with Tall Buildings Historic England Advice Note 4 and New London Plan</p>	<p>1. No green space provided and current proposal will remove greenspace and trees. See P58 and P60</p> <p>2. Tall buildings proposed which would overshadow a conservation area, school, seniors' home and listed buildings. See P14, 2.2 Respond positively to local character and townscape; and 2.6 Avoid unacceptable harm to the significance of designated heritage assets or their settings ...</p> <p>HEA Note 4 states:</p> <p>“What might be considered a tall building will vary according to the nature of the local area.”</p> <p>NLP D8 points out “...the height of [a tall building] may vary in different parts of London but it should be defined.</p> <p>This will block views along the Old Kent Road.</p>
<p>NSP56: Crimscott Street and Pages Walk</p>	<p>Internal inconsistency</p>	<p>Design and accessibility guidance neglects to address improved connectivity for pedestrians and cyclists. See P48.1</p>
<p>NSP63: 4/12 Albany Road</p>	<p>Internal inconsistency</p>	<p>Any development should recognise the historical assets on the Old Kent Road either side of this development: The Thomas a Becket pub and the listed Fire Station which should be listed in the Design guidance.</p>
<p>NSP64: Former Southern Railway Stables</p>	<p>Internal inconsistency with P18 and inconsistent with New London Plan Policy HC1 Heritage conservation and growth</p>	<p>NSP64 states:</p> <p>The former Southern Railway Stables are identified as a building of architectural and historic interest. The space immediately adjacent is designated as ‘Other Open Space’ although it is not publicly accessible. Together, the sites could provide a new publicly accessible open space. The stables should be retained or repurposed for employment uses.</p> <p>Further design requirements should be added that any redevelopment should not harm the architectural structure (including the forge) or distort it because it is a valuable heritage asset and together with the open space represents an historical environment which should be conserved. The cobbled pavements are clearly visible in the NSP photograph and should not be damaged. See London Plan Policy HC1.</p>
<p>NSP 65: Land bounded by Gleggall Road, Latona Road and Old Kent Road</p>	<p>Internal inconsistency and inconsistent with New London Plan Policy HC1 Heritage conservation and growth</p>	<p>Design guidance should include reference to:</p> <p>existing estates (e.g. Friary Estate) regarding respecting local character and building heights, massing etc. See P11, 1.1 to 1.3</p> <p>Views from Trafalgar Avenue conservation area and from Asylum Road conservation area</p> <p>Missing from the list of historical structures to be conserved are: a Victorian chimney and a Grand Surrey Canal loading shed which represent some of the few examples left of the industrial heritage of the area. See London Plan Policy HC1.</p>

<p>OKR NSP67: Sandgate Street and Verney Road</p>	<p>Internal inconsistency and inconsistent with New London Plan Policy HC1 Heritage conservation and growth</p>	<p>The following should be mentioned in the design requirements:</p> <ol style="list-style-type: none"> 1. Contains low rise listed housing (formerly canal side) which will be overwhelmed by tall buildings. See P14, 2.2 Respond positively to local character and townscape; and 2.6 Avoid unacceptable harm to the significance of designated heritage assets or their settings ... 2. The linear park will run next to a new school which has inadequate play space. A linear park may not provide the kind of space which will be useful for children's play but merely act as a transport (cycle) route as has happened with the Surrey Canal Walk. See P11 and P13 3. Area includes a Victorian gasholder which should be listed as a historical asset. See P18 and AV.12.1. The gasholder can be seen very clearly in the photo for NSP68 forming a group with another gas holder which has been listed. This is part of the South Metropolitan Gas Works which should be conserved in accordance with London Plan Policy HC1 "utilising the heritage significance of a site or area in the planning and design process. This is part of the industrial heritage of the Old Kent Road and should be part of the assets left and enhanced in the area including the Livesay Museum and Camberwell Christ Church.
<p>NSP68: Devon Street and Sylvan Grove</p>	<p>Internal inconsistency and inconsistent with New London Plan Policy HC1 Heritage conservation and growth</p>	<p>The gasholder has been listed. This is part of the South Metropolitan Gas Works which should be conserved in accordance with London Plan Policy HC1 "utilising the heritage significance of a site or area in the planning and design process. This is part of the industrial heritage of the Old Kent Road and should be part of the assets left and enhanced in the area including the Livesay Museum and Camberwell Christ Church.</p>

OBJECTIONS TO NSP SUBMISSION P14

Name: Catriona Sinclair Address: [REDACTED]

Email: [REDACTED] Telephone: [REDACTED]

I would like to take part at the oral examination / public hearing).

TOPIC Page number, Policy Number + Name OR Site Number + Name	Test of Soundness	OBJECTION / TEST OF SOUNDNESS
P14 Tall buildings	Height Specification Inconsistent with Tall Buildings Historic England Advice Note 4 and New London Plan	The heights P14 mentions are: 30m, or 25m in the Thames Policy Area, would require extra green space, and “new publicly accessible space at or near to the top of the building and communal facilities for users and residents when above a height of 60m” but it does not indicate its actual standards for high rise buildings. However, HEA Note 4 states: “What might be considered a tall building will vary according to the nature of the local area.” NLP D8 points out “...the height of [a tall building] may vary in different parts of London but it should be defined. P14 is so vague that this allows any height to be acceptable.
	Quantity of tall buildings permitted in an area Not positively prepared	In the NSP there is no indication of the number of tall buildings which would be permitted.
	Density Inconsistent with Tall Buildings Historic England Advice Note 4 and New London Plan 3.6.10	Note 4 states: “There may be good planning reasons to seek an increased development density in an area, but tall buildings represent only one possible model for delivering higher density development. Alternative forms may relate more successfully to the local context.” NLP 3.81: “... high density does not need to imply high rise, “ however, P14 only indicates: “Tall buildings, ... can be an important component in contributing to Southwark’s physical regeneration, raising population density, ...”. There is no indication of alternative options for increasing density..

<p>P14 Tall buildings continued</p>	<p>Inconsistent with Mayor of London's Policy D1 and not positively prepared</p>	<p>Mayor's statement</p> <p>Policy D1 London's form and characteristics</p> <p>Development Plans, area-based strategies and development proposals should address the following:</p> <p>B. Development design should:</p> <p>1 respond to local context by delivering buildings and spaces that are positioned and of a scale, appearance and shape that responds successfully to the identity and character of the locality, including to existing and emerging street hierarchy, building types, forms and proportions</p> <p>However, in the area-based strategy for the Old Kent Road, there is no mention of proposed or acceptable heights for taller buildings. Taller buildings currently in the area are: Bird in Bush Road: 14 storeys; Rotherhithe New Road: 19 storeys; Avondale Square 20/21 storeys; Leyton Square: 4/6 storeys, but these are not mentioned in the NSP. No examples are given of current best practice..</p>
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<p>P14 Tall buildings continued</p>	<p>Inconsistent with Ministry of Housing, Communities & Local Government</p> <p>Part of:</p> <p>Planning practice guidance and Planning system</p> <p>6 March 2014</p>	<p>“Some forms pose specific design challenges, for example how taller buildings meet the ground and how they affect local wind and sunlight patterns should be carefully considered. The length of some lower blocks can mean they disrupt local access and movement routes. Stand alone buildings can create ill defined spaces around them and terraces can appear monotonous and soulless if poorly designed.”</p> <p><i>Paragraph: 025 Reference ID: 26-025-20140306</i> <i>Revision date: 06 03 2014</i></p> <p>“Decisions on building size and mass, and the scale of open spaces around and between them, will influence the character, functioning and efficiency of an area. In general terms too much building mass compared with open space may feel overly cramped and oppressive, with access and amenity spaces being asked to do more than they feasibly can. ...</p> <p>The scale of building elements should be both attractive and functional when viewed and used from neighbouring streets, gardens and parks. ...</p> <p>any adverse visual impact of rooftop servicing minimised.</p> <p>Account should be taken of local climatic conditions, including daylight and sunlight, wind, temperature and frost pockets.”</p> <p><i>Paragraph: 026 Reference ID: 26-026-20140306</i> <i>Revision date: 06 03 2014</i></p> <p>P14 inadequately states:</p> <p>2.1 Be located at a point of townscape significance and have a height that is proportionate to the significance of the proposed location and size of the site ...</p> <p>2.7 Avoid harmful and uncomfortable environmental impacts including wind shear, overshadowing and solar glare. ...</p> <p>2.9 Have a positive relationship with the public realm, provide opportunities for new street trees, and design lower floors to successfully relate to and create a positive pedestrian experience, and</p> <p>2.10 Provide a new, functional public space that is commensurate to the height and size of the proposed building when above a height of 30m, or 25m in the Thames Policy Area, and widened footways and routes to accommodate increased footfall; and</p> <p>2.11 Provide a new publicly accessible space at or near to the top of the building and communal facilities for users and residents when above a height of 60m.</p> <p>It does not include providing a positive visual impact on existing surrounding areas, nor the effect of large buildings on access routes, nor take into account all of the possible climactic effects for humans and wildlife.</p>
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<p>P17, pages 44-45 Conservation areas</p>	<p>Not Effective</p>	<p>The policy is not effective because of conflicting NSP policy that seeks high density residential developments.</p> <p>Currently Conservation Area Appraisals are being ignored when planning applications come up in Conservation Areas, because the pressure to build residential accommodation, even when unaffordable, seems to override. There is nothing new in this policy that would change this status quo. The result of this conflict is that permission is being given for buildings that are out of scale in height and mass with the Conservation Area, eroding its settings, views and compromising historic character and distinctiveness.</p> <p>Some solution needs to be found to this if this policy P17 is to be made effective and sound. One way for example might be to add something on the following lines.</p> <p>3.2 When any developments are proposed that breach the prevailing heights, mass and density in a Conservation Area, this should be subject to additional public consultation before any such developments can be determined.</p>
<p>P18, page 45 Conservation of the historic environment and natural heritage</p>	<p>Not Effective</p>	<p>The policy is not effective because it is inconsistent with national policy in the NPPF which includes heritage assets included on the Local List. It fails to explain how without a Local List, unlisted buildings and heritage assets will be protected and enhanced by new development, and so not able to achieve its aim.</p> <p>The policy recognises the existence of conservation and heritage assets that are not protected under the Planning (Listed Buildings and Conservation Areas) Act 1990 but does not provide for a Local List which is the nationally recognised method for giving them protection. These quotes are from Historic England : https://historicengland.org.uk/listing/what-is-designation/local/local-designations</p> <p><i>“Local lists play an essential role in building and reinforcing a sense of local character and distinctiveness in the historic environment. Local lists can be used to identify significant local heritage assets to support the development of Local Plans. Encouraging the use of local lists will strengthen the role of local heritage assets as a material consideration in the planning process...”</i></p> <p><i>“Moreover Local Lists are usually made very effectively in partnership with local residents through occasional appraisal and/or a nomination system which recognises and takes advantage of local residents’ knowledge, and highlights community value assets. This is invaluable in engaging the local community in the effective conservation of their neighbourhood’s heritage. “</i></p> <p><i>“At its heart, local listing provides an opportunity for communities to have their views on local heritage heard. It recognises that the importance we place on the historic environment extends beyond the confines of the planning system to recognise those community-based values that contribute to our sense of place.</i></p> <p style="text-align: right;">Continued</p>

<p>P18, page 45 Conservation of the historic environment and natural heritage - continued</p>	<p>This was recognised in earlier planning policy documents:</p> <ul style="list-style-type: none"> * The adopted version of the Elephant & Castle SPD from March 2012 states (4.5.12) that "We (Southwark) will be consulting on our local list in summer 2012. The local list will be established through that process". * The Peckham and Nunhead AAP 4.7.12 (2014) states "... we have also identified buildings which are worthy of being added to the council's local list. The local list identifies buildings and structures with local value which make a positive contribution to character or appearance due to Buildings on the local list in Peckham & Nunhead include" The Fact Box Page 98 refers to the NPPF definition of heritage assets including locally listed buildings, and gives English Heritage good practice guidance on the criteria to use to identify buildings and other objects for the Southwark 'Local List'. * The NSP Options version from October 2014, Draft Policies and area visions states – "DM55 Local list buildings and views: Southwark will have a list of locally important buildings, structures and views that positively contribute to local character and amenity. DM55.1 Development must take these locally important buildings, structures and views into account. Reasons: Locally important buildings and views make a positive contribution to local character and distinctiveness, but they do not benefit from a statutory designation. We will prepare a list of locally important buildings and views, and the criteria for their selection as part of a Heritage SPD." <p>There has been no explanation why the provision for a Local List does not appear in the NSP submission version.</p> <p>This policy could be made sound by including in it two additional points to achieve the following:</p> <ol style="list-style-type: none"> 2. Unlisted buildings of townscape merit and undesignated heritage assets identified and gathered in a Local List and allowed the same protection as listed buildings and/or conservation areas. 3. A community engagement policy developed to encourage local neighbourhoods to develop a local process with an existing community group or a new group to nominate buildings for the Local List.
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OBJECTIONS TO NSP SP5, SP6, P13, P56, P58

Name: Catriona Sinclair Address: [REDACTED]

Email: [REDACTED] Telephone: [REDACTED]

I would like to take part at the oral examination / public hearing).

TOPIC Page number, Policy Number + Name OR Site Number + Name	Test of Soundness to which objection relates	OBJECTION / TEST OF SOUNDNESS
SP5: Healthy, active lives	Internal inconsistency	Walking is mentioned in the “Reasons” section but omitted from the actual Strategic Policy List and therefore needs to be included in SP5 as: 6 Delivering a safer <i>walking and</i> cycling network; and ... 9 Introducing the concept of active design which, among other things, makes using the stairs and attractive alternative to using lifts and encourages <i>walking and</i> the use of bicycles to <i>for</i> local trips.
SP5: Healthy, active lives continued	Inconsistent with Mayor of London’s New London Plan	Mayor of London’s Policy G3 Creating a Healthy city policy states: “A plan for improved access to green spaces and the provision of new green infrastructure.” Suggested rewording for SP5: 7 <i>Increasing, protecting and</i> improving green spaces and access to them; and ...
SP6 Cleaner, greener, safer	Inconsistent with Mayor of London’s New London Plan	Mayor of London’s Policy G4 Local green and open space states: A Local green and open spaces should be protected. B The creation of new areas of publicly-accessible green and open space should be supported, especially in areas of deficiency in access to public open space. Suggested rewording for SP6: 4 <i>Increasing, protecting and</i> improving our network of open spaces, trees and biodiverse habitats and green corridors ...

<p>P13 Residential Design</p>	<p>Inconsistent with Mayor of London's New London Plan</p>	<p>NSP P13 does not specify the quality of play space necessary to satisfy children and young people's requirements, that the provision could be additional space not just an improvement of existing provision and the maximum walking distances to play spaces based on age. It states:</p> <p>“1.3 Provide green communal amenity space for all residents and additional communal play areas for children ... In exceptional circumstances, where communal amenity space and child play space cannot be provided on-site, we will seek a financial contribution towards improving existing play space provision in the vicinity of the site; and ... “</p> <p>However, LP Policy 3.6 Children and young people's play and informal recreation, specifies:</p> <p>“Development proposals should include good quality, well-designed, secure and stimulating play and informal recreation provision, incorporating trees and greenery ...”</p> <p>Also see: LP Policy 3.6 Children and young people's play and informal recreation, Play and Informal Recreation SPG</p> <p>“4.38 The Mayor will expect provision to be made on-site in new development and regeneration schemes wherever possible. Play provision must therefore be considered at an early stage ...”</p> <p>“2.5 Off-site provision, including the creation of new facilities, improvements to existing provision, and/or an appropriate financial contribution towards this provision may be acceptable where it can be demonstrated that it fully satisfies the needs of the development whilst continuing to meet the needs of existing residents.”</p> <p>4.11 Maximum walking distance to play space in new developments: “100m for under 5s; 400m for 5-11 yrs; 800m for over 12s”</p>
<p>P56 Open Space</p>	<p>Inconsistent with Mayor of London's New London Plan</p>	<p>It is inconsistent with the London Plan because the London Plan's sections on green and open space emphasise the need for the protection and extension of green and open space:</p> <ul style="list-style-type: none"> • Policy G3 Metropolitan Open Land states that: <p><i>The extension of MOL [Metropolitan Open Land] designations should be supported where appropriate.</i></p> • Policy G4 Local green and open space states: <p><i>The creation of new areas of publicly-accessible green and open space should be supported, especially in areas of deficiency in access to public open space.</i></p> <p><i>C Boroughs should undertake a needs assessment of local green and open space to inform policy. Assessments should identify areas of public green and open space deficiency, using the categorisation set out in Table 8.1 as a benchmark for all the different types required.</i> ¹⁰⁵</p> <p>NSP Policy P56 only refers to restrictions on development on open space, there is no policy on extending open space.</p>

<p>P56 Open Space continued</p>	<p>Inconsistent with National Planning Policy Framework (NPPF)</p>	<p>NPPF states:</p> <p>8. Promoting healthy communities</p> <p>Paragraph 74. Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:</p> <ul style="list-style-type: none"> the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of <i>quantity and quality</i> in a suitable location <p>The Southwark Plan recommends only</p> <p>2 Development will not be permitted on Other Open Space (OOS). In exceptional circumstances development may be permitted if replacement OOS of <i>equivalent or greater size or substantially better quality</i> can be secured on-site or nearby before development commences.</p> <p>Proposed wording for Southwark Plan to be consistent with NPPF should be:</p> <ul style="list-style-type: none"> ... replacement OOS of equivalent or <i>greater size and substantially better quality</i> can be secured ...
<p>P56 Open Space continued</p>	<p>Not positively prepared</p>	<p>Policy 56 is unsound because it has not been positively prepared, taking account of the greenspace needs of current and future residents.</p> <p>The amount of new open space provided for in the site allocations is totally inadequate for the scale of development envisaged. For example, in Peckham, the total area for development is 81,000m², including commercial, industrial and residential uses. No provision is made for green or open spaces. Only two of the site allocations (NSP75 and NSP78) refer to improvements to the public realm; the amount of space to be allocated for this use is not specified. In the case of Bankside and Borough, where the Area Vision proposes to, “Increase or improve the number and quality of local open spaces, squares and public realm”, only 5.2% of the total site allocations is destined for the provision of open or greenspace (3,151m²).</p> <p>There is no evidence that the Council has calculated the amount of new greenspace needed to provide adequately for the growing population, taking account of requirements of different ages within the population. If mentioned at all, green and open space seemed to be squeezed into new developments, often in inappropriate locations (e.g. children’s play areas on roof areas of residential developments.) The Council should show the numbers of new residents planned in each area and the amount of green and open space provision, both in terms of area to be provided (in m²) and the nature of the provision.</p> <p>Some area plans have numbers of housing units to be provided per site. This information is not in the NSP site allocations. The Council should provide this information in a transparent manner and keep an on-going record of numbers of housing units created, to ensure that adequate open greenspace is provided in relation to new development.</p>

<p>P56 Open Space continued</p>	<p>Not effective and not consistent with Mayor of London New London Plan</p>	<p>The NSP is unsound because it is ineffective in addressing health and wellbeing needs of Southwark’s residents.</p> <p>Green and open space is valued in its own right and as a factor contributing to the physical and mental health of the borough’s residents. However, the NSP fails to provide significant additional green and open space to meet the needs of existing residents in areas acknowledged to be in deficit.</p> <p>Where areas have a greenspace deficit (as set out in Southwark’s Open Space Strategy) this should be identified in the relevant Area Vision along with a commitment to address the deficit as stated in the London draft plan Policy G4, 8.4.2.</p> <p>The NSP does not set out how it will monitor the provision of new green and open space as part of developments to ensure that this keeps pace with the numbers of new residents coming into the borough to occupy the housing being built. This means that there is likely to be insufficient green infrastructure to enable people to exercise and lead healthy lives.</p> <p>Proposed change:</p> <p>Introduce a sentence to establish that greenspace will be improved and extended to meet the needs of Southwark’s growing population. State how the numbers of new people moving into new residential developments will be monitored and action taken to provide additional greenspace to address historic deficiencies and meet the needs of new residents.</p> <p>Note that London Draft Plan Policy G4, 8.4.3 states: “The creation of new green or open space is essential in helping to meet the Mayor’s long-term target of making more than 50 per cent of London green by 2050. New provision or improved access should be particularly encouraged in areas of deficiency in access to public open space. It will also be important to secure appropriate management and maintenance of open spaces to ensure that a wide range of benefits can be secured and that any conflicts between uses are minimised. “</p> <p>* MOL = Metropolitan Open Land; BOL = Borough Open Land; OOL = Other Open Land</p>
<p>Policy 56 Open Space Point 1.1</p>	<p>Not Justified</p>	<p>The NSP is unsound because ancillary facilities should positively contribute to both openness and character of the open space</p> <p>Ancillary facilities need to be of the highest standard to deliver the intensive use in a dense urban environment with limited green space and facilities. Areas of Southwark in the north and central wards are in areas of green space deficit.</p> <p>Any ancillary facilities proposed for green spaces in the north and centre of the borough must minimise the size of the building footprint on the green open space in order to retain limited green space.</p> <p>The proposed wording amend is to ensure that consideration is given to openness AND character.</p> <p>Proposed wording:</p> <p>... if it does not affect its openness nor detract from its character.</p>

<p>Policy 58</p> <p>Major development</p> <p>Large scale major development</p>	<p>Not effective</p>	<p>The NSP is unsound because there is no definition of major developments or large scale major development.</p> <p>Without definitions it is not possible to ensure that planning applications make sufficient provision for greenspace either on the development site or as a contribution to other sites.</p> <p>Definition - There is inadequate definition of the development size described as major developments and large scale major development. Definitions could be linked to geographical size of area and density of proposed new development.</p> <p>Stewardship and maintenance funding - The additionality of green space and future management must be agreed via suitable planning legal agreements. Otherwise there is no follow through or legal grounds to take action on the planning requirements if not complied with.</p> <p>Green infrastructure – This will include green roofs and walls and will not be areas accessible by people. Benefits for health and wildlife should also include benefits for play and access for people and mobility.</p>
<p>Policy 58</p> <p>Green infrastructure</p>	<p>Not positively prepared</p>	<p>Policy 58 is unsound because it is not consistent with the SP6 on flooding and the importance of urban greening to tackle this risk. It is also not consistent with Policy 69 on Reducing flood risk.</p> <p>SP6's stated objective is to use urban greening to reduce flood risk. This strategic goal should be applied more strongly to ensure that Policy 58 on major developments provides for green space which is used strategically to tackle flood risk as well as green infrastructure.</p> <p>Much of Southwark is at risk from flooding: Thames river flooding, ground water (Policy 69)</p>

Objection to NSP Submission version

Name: [REDACTED], Chair, Friends of Victory Community Park

Address: [REDACTED]

Email address: [REDACTED]

I wish to take part at the oral examination/public hearings.

TOPIC Policy Number + Topic Name, + page numbers OR Site Number + Name, + page numbers	Test of Soundness to which objection relates	OBJECTION / TEST OF SOUNDNESS Give details of why you consider this part of the NSP to be unsound or not legally compliant. State which test(s) of soundness your objection relates to, e.g. positively prepared, justified, effective, not consistent with planning policy. <i>"The NSP is not sound because it is not justified. It has not included the participation of the local community and stakeholders in the area"</i> OR eg <i>"It has not considered a better plan to achieve the policy."</i> – <i>and then give examples and develop the objections further.</i>
SP6.....p 20 P56, page 80,81	Not positively prepared	<p>The definition offered of Open Space on page 20 appears not to recognise the value to nature conservation and biodiversity of SINCs of local importance, and therefore affords them less protection than hitherto has always been the case.</p> <p>Southwark Council has always designated local SINCs as BOL. In this the council has recognised their function for local nature conservation but also for education, in areas of the borough deficient in supply of such sites. i.e., in the absence of SINCs of Borough importance, Local SINCs perform the same function. Most of these sites are also managed and maintained by local management committees who co-ordinate groups of volunteers.</p> <p>See GLA Advice Note. Process of selecting and confirming SINCs in Greater London, esp Appendix A1.2.10</p>

[REDACTED]

From: Charlie Allom [REDACTED]
Sent: 27 February 2018 20:34
To: planningpolicy
Subject: NSP comment: P14 Tall Buildings Plan

Name: Mr Charlie Allom

Address: [REDACTED]

Email address: [REDACTED]

Phone: [REDACTED]

I wish to take part at the public hearings.

P14 Tall Buildings Plan.

pages 42 & 43

This policy is unsound because tall buildings are not the historical norm in Southwark. Southwark is meant to be leading a historical regeneration and tall buildings do not align with these values.

There is a conflict in that there is no definition of a tall building in regards to it's surroundings. This is open to exploitation and deliberate misinterpretation. It needs clarity.

**Department of the Built Environment**

Director of the Built Environment

London Borough of Southwark
5th Floor Hub 2
Planning Policy
PO Box 64529
London
SE1P 5LX

Telephone [REDACTED]

Email [REDACTED]

Date: 27th February 2018**New Southwark Plan
Proposed Submission Version (December 2017)**

Deadline: Tuesday 27th February 2018
Email: planningpolicy@soutwark.gov.uk

Dear Sir/Madam

Thank you for the opportunity to respond to the submission version of the New Southwark Plan. We understand this is the council's final document for consideration and not an open consultation for discussion and comment.

The City of London notes the borough's proposed submission version (December 2017) in regard to the New Southwark Plan. We were previously consulted on the Preferred Options and responded with comments in February 2016.

We welcome the addition of inclusion of views relating to other boroughs, strategic views and wider views. Including the acknowledgement of the City's St. Paul's Heights as many of the views of the Cathedral protected by the Heights are from Southwark.

The City of London Corporation is keen to maintain strong links with the London Borough of Southwark and to continue to cooperate in the development of our respective Local Plan polices, especially those related to cross boundary issues and the Central Activities Zone. The City of London is currently working on a draft version of a new Local Plan and will be running its own consultation in autumn 2018.

Yours faithfully

[REDACTED]

[REDACTED]

From [REDACTED] Chair, Bermondsey Street Area Partnership

Address: [REDACTED]

email [REDACTED]

mobile [REDACTED]

Yes, I would like to take part at the oral examination (public hearings).

TOPIC Page number, Policy Number + Name OR Site Number + Name	Test of Soundness to which objection relates	OBJECTION / TEST OF SOUNDNESS
<p>In Annex 8 of the New Southwark Plan Preferred Option and the Policies Map associated with the new Southwark Plan Submission Version the boundary of the London Bridge District Town Centre is extension to include Bermondsey Street south of the railway viaduct and the area to the east of Bermondsey St as far as and including Tower Bridge Rd</p>	<p>This extension is not justified</p>	<p>The Bermondsey Street area, which the New Southwark Plan now proposes to include in the London Bridge District Town Centre is largely a conservation area, with low rise historic buildings, with mixed small independent businesses, including cafes and restaurants and residential uses, including social housing.</p> <p>The Bermondsey Street area is excluded from the London Bridge Vision area and indeed, the Bermondsey Street area is explicitly recognised in the London Bridge Vision as being different in character from London Bridge, and for that very reason being a valuable heritage and cultural asset, a draw for visitors and businesses.</p> <p>Nowhere in the New Southwark Plan is the proposed extension justified.</p> <p>In P30Town and Local Centres, the reasons cited for town centre policies identify Elephant & Castle, Walworth Rd, Canada Water, Old Kent Rd and Peckham as having the most capacity for growth. London Bridge is not mentioned.</p> <p>None of the supporting evidence (eg the Retail or High Street studies) identifies the London Bridge District Town centre as a target for significant growth.</p> <p>BSAP is a member organisation of local residents and businesses working together to make our area as good as it can be for people who live here, work here and come to visit. We believe that the proposed inclusion of our low rise historic mixed small business–residential area in the London Bridge district town centre will put its character significantly at risk.</p> <p>Once an area is defined as town centre, developments will be encouraged that include (P30 Reasons again) new shops, education facilities, leisure facilities and entertainment venues. It will, we believe put at risk the mixed residential- small business nature of our area, weakening any argument against non-residential uses or large scale development.</p>

Name: [REDACTED] Chair, Bermondsey Street Area Partnership Address: [REDACTED]

Email address: [REDACTED] Phone: [REDACTED]

I wish to take part at the oral examination/public hearings.

TOPIC Page no, Policy Number + Name	Test of Soundness	OBJECTION / TEST OF SOUNDNESS
P16, Page 44 Listed buildings and structures	Not Effective	<p>BSAP is a member organisation of local residents and businesses working together to make our area as good as it can be for people who live here, work here and come to visit.</p> <p>This policy is not effective because it does not ensure that the relevant specialist advice on the future viable use of the buildings and structures is available before a planning decision is made.</p> <p>Failure to assess damage to listed buildings at the right time and consult relevant stakeholders and subject specialists will result in important heritage loss. We have had a significant recent example of this in 2017. Harker’s Studio in Walworth SE17 – a specially designed building for painting theatre scenery Grade 2 listed - was given permission to be converted to residential, retaining a few of the features. The Council’s decision was taken on the basis of an opinion from an organisation that had no expertise in the viability of the studio in the future. After permission was granted, professional actors and scenery makers and users campaigned against the decision on the grounds that the building was indeed viable and needed in London, as such spaces were increasingly scarce. It then became obvious that the right specialists had not been asked for an opinion. Irreparable harm has now been done not only to the heritage asset but also to a viable structure of importance to the theatre industry.</p> <p>Clearly the consultation process in this case was inadequate. The policy needs to have an addition to avoid this happening again.</p> <p>To make this policy sound, an additional point could be added to the policy P16 on the following lines:</p> <p>3. When development is proposed affecting listed buildings and/or structures, a detailed consultation plan, including appropriate specialist assessments and with extended timelines for appraisal, should be presented with planning applications. The specialist interests to be consulted must include users and people and organisations knowledgeable about that industrial sector.</p>

<p>P17, pages 44-45 Conservation areas</p>	<p>Not Effective</p>	<p>The policy is not effective because of conflicting NSP policy that seeks high density residential developments.</p> <p>Currently Conservation Area Appraisals are being ignored when planning applications come up in Conservation Areas, because the pressure to build residential accommodation, even when unaffordable, seems to override. There is nothing new in this policy that would change this status quo. The result of this conflict is that permission is being given for buildings that are out of scale in height and mass with the Conservation Area, eroding its settings, views and compromising historic character and distinctiveness.</p> <p>Some solution needs to be found to this if this policy P17 is to be made effective and sound. One way for example might be to add something on the following lines.</p> <p>3.2 When any developments are proposed that breach the prevailing heights, mass and density in a Conservation Area, this should be subject to additional public consultation before any such developments can be determined.</p>
<p>P18, page 45 Conservation of the historic environment and natural heritage</p>	<p>Not Effective</p>	<p>The policy is not effective because it is inconsistent with national policy in the NPPF which includes heritage assets included on the Local List. It fails to explain how without a Local List, unlisted buildings and heritage assets will be protected and enhanced by new development, and so not able to achieve its aim.</p> <p>The policy recognises the existence of conservation and heritage assets that are not protected under the Planning (Listed Buildings and Conservation Areas) Act 1990 but does not provide for a Local List which is the nationally recognised method for giving them protection. These quotes are from Historic England : https://historicengland.org.uk/listing/what-is-designation/local/local-designations</p> <p><i>“Local lists play an essential role in building and reinforcing a sense of local character and distinctiveness in the historic environment. Local lists can be used to identify significant local heritage assets to support the development of Local Plans. Encouraging the use of local lists will strengthen the role of local heritage assets as a material consideration in the planning process...”</i></p> <p><i>“Moreover Local Lists are usually made very effectively in partnership with local residents through occasional appraisal and/or a nomination system which recognises and takes advantage of local residents’ knowledge, and highlights community value assets. This is invaluable in engaging the local community in the effective conservation of their neighbourhood’s heritage. “</i></p> <p><i>“At its heart, local listing provides an opportunity for communities to have their views on local heritage heard. It recognises that the importance we place on the historic environment extends beyond the confines of the planning system to recognise those community-based values that contribute to our sense of place.</i></p>

**P18, page 45
Conservation of the
historic environment
and natural heritage -
*continued***

This was recognised in earlier planning policy documents:

* The adopted version of the Elephant & Castle SPD from March 2012 states (4.5.12) that "We (Southwark) will be consulting on our local list in summer 2012. The local list will be established through that process".

* The Peckham and Nunhead AAP 4.7.12 (2014) states "... we have also identified buildings which are worthy of being added to the council's local list. The local list identifies buildings and structures with local value which make a positive contribution to character or appearance due to Buildings on the local list in Peckham & Nunhead include" The Fact Box Page 98 refers to the NPPF definition of heritage assets including locally listed buildings, and gives English Heritage good practice guidance on the criteria to use to identify buildings and other objects for the Southwark 'Local List'.

* The NSP Options version from October 2014, Draft Policies and area visions states –
"DM55 Local list buildings and views: Southwark will have a list of locally important buildings, structures and views that positively contribute to local character and amenity.
DM55.1 Development must take these locally important buildings, structures and views into account.
Reasons: Locally important buildings and views make a positive contribution to local character and distinctiveness, but they do not benefit from a statutory designation. We will prepare a list of locally important buildings and views, and the criteria for their selection as part of a Heritage SPD."

There has been no explanation why the provision for a Local List does not appear in the NSP submission version.

This policy could be made sound by including in it two additional points to achieve the following:

2. Unlisted buildings of townscape merit and undesignated heritage assets identified and gathered in a Local List and allowed the same protection as listed buildings and/or conservation areas.
3. A community engagement policy developed to encourage local neighbourhoods to develop a local process with an existing community group or a new group to nominate buildings for the Local List.

OBJECTIONS TO NEW SOUTHWARK PLAN (NSP) SUBMISSION VERSION - P16, P17, P18 Conservation & Heritage

Name: [REDACTED], Chair, Bermondsey Street Area Partnership

Address: [REDACTED]

Email address: [REDACTED]

Phone: [REDACTED]

I wish to take part at the oral examination/public hearings.

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3. A community engagement policy developed to encourage local neighbourhoods to develop a local process with an existing community group or a new group to nominate buildings for the Local List.

	<p>Positively prepared</p>	<ul style="list-style-type: none"> • The Kingswood Estate has some local proximity to West Dulwich and has a strong functional and local connection with Gipsy Hill and Lambeth services. E.g. the Lambeth provided Paxton Medical Heath Centre at Gipsy Hill is a core service provider. Gipsy Hill is the largest local parade of shops and local amenities. The Estate’s only local bus services connect with Crystal Palace (Croydon/Lambeth/Bromley) and Sydenham (Lewisham). For many disabled people and older people living closest to West Dulwich shops on the Estate, the walk is too far, and there is no local bus service at their end of the Estate. • There are no direct buses or transport links to most parts of “Dulwich” or into Southwark from the Kingswood Estate, so the evidence that the Kingswood Estate community mostly uses, or is served, by “Dulwich” providers appears unjustified. Local transport access better serves other local cross border shopping areas. It is wrong to imply that the community living in Kingswood Estate have their “local shopping centre in Dulwich Village”. • There is significant (and long term) lack of accessible railway station platform access for older people, and disabled people from the Kingwood Estate. Combined with its location at the furthest most fringe of Southwark to access core services, this means this neighbourhood area needs specific support from its long-term Area Vision. • Kingswood is amongst the 10% most deprived neighbourhoods in the country for: Income, Income Affecting Children, Income Affecting older period (2011 census data) and is unusually isolated from other groups in Southwark, Lewisham and Lambeth by distance. As other parts of Southwark are now deemed “needier” due to increasing numbers of people with no recourse to public funds, some statutory services for this southern part of Southwark are provided less frequently, meaning the increasing likelihood of residents needing to travel north to access services. • For “<i>improvements to local services to meet local needs</i>” the Area Vision for the Kingswood Estate neighbourhood fails to consider the significance of its cross-border situation. Long term planning in this area should call for better and improved cross border functions and collaborative working. <p>This policy is not positively prepared as, whilst some Area Visions of the policy are vague or unclear:</p> <ul style="list-style-type: none"> • Visions of local residents, as identified in the Consultation Report, have been ignored in producing the version now submitted by the Council; • Consequently, they do not reflect a distinctively different identity that is relevant to each individual area for which a Vision has been included; • The significant policy change to P14 Tall Buildings, means tall buildings may now be permitted anywhere in the borough which infers that they could significantly change each and every Area Vision in terms of both numbers and
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	<p>Effective</p>	<p>locations, and with no definition of what a tall building is and not clarifying what “significantly taller than their surroundings” means.</p> <p>This policy is not effective as it does not:</p> <ul style="list-style-type: none"> • Provide Visions for each area that are sufficiently clear and distinctive enough to enable measurement that can demonstrate delivery of each Vision. • Provide Visions, & associated site allocations, that reflect where Tall Buildings are to be located, and at what height. • Overall, the area visions do not reflect the distinctively different identity of the Kingswood Estate that is relevant to this individual area which an Area Vision seeks to address. These proposed policies are not effective for Kingswood Estate.
<p>Suggested changes to Area Visions and Site Allocations</p> <p>“Kingswood Estate”</p> <p>AV.05.1 Crystal Palace and Gipsy Hill</p> <p>AV.06.1.1 Dulwich</p>		<p>To make the policy sound, the NSP should:</p> <ol style="list-style-type: none"> 1. Revisit the Area Visions in order to ensure that they reflect a “collective vision” and a complete and accurate picture of the local communities and where they associate themselves with. This should be done in “collaboration with neighbourhoods, local organisations and businesses” 2. Kingswood Estate needs to be additionally included in the Crystal Palace and Gipsy Hill Area Vision due to its cross-border requirements and proximity to Gipsy Hill for local service provision with Lambeth. 3. Due to the Kingswood Estate’s unique isolation, the distinctive character of the Estate, and the local needs of the estate, potentially a separate Area Vision could be raised for Kingswood Estate. This would give clear support for the Estate and its needs. 4. With the resulting Area Visions, Site Allocations should be reviewed to ensure that they reflect the visions and identify things such as where tall buildings are appropriate and their indicative heights; including any proposals to increase the density of housing on existing social housing estates.

From: Clare Johns [REDACTED]
Sent: 27 February 2018 11:58
To: planningpolicy
Subject: New Southwark Plan

To whom it may concern,

I am resident of [REDACTED] and have lived in the area for 17 years. I would like to attend the public hearing, but do not wish to be heard. I only want my objection noted.

I wish the inspector to rule the current Southwark Plan unsound due to its provisions on maximising housing units for all applications in most of the area visions and its abolition of the existing height restrictions in the current Southwark Plan.

Combined these two provisions make almost all the rest of national and regional planning policy redundant.

If any developer wishes to develop any site across the borough, no matter how inappropriately over-developed or how high the development, the local community will have no clear planning grounds to object.

The existing national planning policy on a presumption in favour of development has clear policy caveats laid out in various policy documents nationally and in the London Plan.

The provisions in the new Southwark Plan spelling out in clear terms that all developments will be expected to maximise number of residential units provided means all other planning policies would be neutered and any decisions made by the planning committee rejecting very dense and very tall skyscrapers across the borough, could be immediately legally challenged and due to costs incurred by the council in such appeals, would severely disable the planning committee from carrying out its legal functions laid out in national and regional planning policies.

The removal of the 8 and 10 storey height restrictions for residential and commercial tall buildings across the borough, outside of the exempted core action areas, again limits the ability of the planning committee to carry out its legal functions to ensure all applications adhere to national and regional planning policies.

The Camberwell Area Action Plan and the Burgess Business Park exemplifies these problems. This is a largely urban residential community and the removal of all height restrictions and the requirement to maximise housing units in all plans, will radically alter the area, without any real knowledge in the community or in the Southwark Plan consultation process that such a radical change was proposed in the new plan, to change the character of the community, into one that mirrors that of the high rise, very high densities of the redeveloped Elephant & Castle.

The Burgess Business Park is located within a neighbourhood of 2 story Victorian terraced housing. To introduce very high density, tall buildings that reflect the Elephant and not Camberwell deeply damages the established character of the area.

The infrastructure is also not set up to cope with larger volumes of people. You only have to try to get onto a 343 bus to realise the area is already at capacity. There is often flooding through pipe damage, how with such large developments can you guard against further breakdown in the infrastructure.

In addition, as Burgess Park is covered by the CAAP and is immediately to the north of the Burgess Business Park, changing the planning policies as outlined, means the park will be overshadowed from the south and the New Church Road wildlife site which is immediately adjacent to the proposals site, will have its wildlife potential destroyed.

This is just one key example of why the plan's proposed policies make it unsound.

The council needs to remove these provisions before the plan can be considered to be sound.

Please set out what change(s) you consider necessary to make the New Southwark Plan legally compliant or sound. You will need to say why this change will make the New Southwark Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible. : Remove all references in all the area plans that require maximising number of residential units. Restore full section in current Southwark Plan that sets out height limits of 8 and 10 storeys for residential and commercial buildings outside of core

action areas. Insert provision stating that parks and wild-life sites will be protected from over-shadowing from new buildings restrictions across the borough.

Please acknowledge receipt of this objection.

Very many thanks,
Clare Johns

- Edinburg
- Glasgow
- Manchester



CHARTERED SURVEYORS

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London W1J 8BA

www.montagu-evans.co.uk

PD11325/JWB
[REDACTED]

27 February 2018

Planning Policy Team Leader
London Borough of Southwark
Chief Executive's Department
FREEPOST SE1919/14
London
SE1P 5LX

By email: planningpolicy@southwark.gov.uk

Dear Sir/Madam,

**TOWN AND COUNTRY PLANNING (LOCAL PLANNING) (ENGLAND) REGULATIONS 2012
THE NEW SOUTHWARK PLAN PROPOSED SUBMISSION VERSION
REPRESENTATIONS ON AREA VISION 13 – PECKHAM: SITE NSP78.**

Montagu Evans acts on behalf of the freehold owners of the Copeland Park site that has been introduced in to the new Southwark Plan at the Submission Stage as site "NSP78".

We have reviewed the emerging New Southwark Plan ("NSP") and set out below our comments having due regard to the tests of soundness set out in Paragraph 182 of the NPPF. Whilst our client generally supports the NSP, we are of the opinion that site allocation NSP78 is unsound.

Whilst our client welcomes the continued support for the future of the site, this allocation duplicates and conflicts with the site's allocation in the Peckham and Nunhead Area Action Plan ("PNAAP"). It also conflicts with provisions of the General Permitted Development Order, and introduces an approach to the future development of the site that is best dealt with at the application stage.

Consequently, it is considered that NSP78 is not justified as the most appropriate strategy, and undermines the adopted allocations effectiveness. It should therefore be deleted and reliance had to adopted allocation PNAAP 4 to deliver the future redevelopment of the site.

Background

Copeland Park is a former industrial estate located to the south of the railway and behind Rye Lane, accessed from Copeland Road. The site is occupied by a series of industrial and temporary units, along-side the Bussey Building, an imposing industrial building of 5 – 6 storeys alongside the railway line.

Land fronting Bournemouth Road is owned by the Council and is currently used as offices and a local job centre, with buildings extending to two storeys in height.

Copeland Park has established itself within Peckham as the premier cultural quarter within the town centre, providing space for independent traders, professional firms, cafés, theatre space, galleries, artist's studios and bars/clubs.

The site is allocated within the Peckham and Nunhead Area Action Plan (“PNAAP”) under the wider site specific allocation PNAAP 4: Copeland Industrial Park. This site allocation identifies that the site should be developed for a range of cultural, employment, retail and employment opportunities.

SNP Allocation NSP78

Allocation NSP78 has been introduced in this final stage of the document’s preparation, with no evidence supporting its inclusions nor it featuring in earlier drafts as an issue to be considered, or a preferred option to be progressed.

Allocation NSP78 covers exactly the same site as PNAAP Allocation 4. It is accompanied by the same list of acceptable uses, and the vision diagram has been replicated. Furthermore, the majority of paragraphs of the supporting text are taken verbatim from PNAAP 4. The main difference between the two is that NSP78 notes that residential uses should not be located on to Bournemouth Road.

If the Council had the intention of deleting the PNAAP once the NSP had been adopted, we could have seen justification in the duplication of policy. However, this is clearly not the case as NSP78 specifically makes reference to PNAAP 4, stating that the two policies should be read together.

We are of the opinion that NSP78 introduces the potential for confusion over which policy takes priority, thus diminishing the plans’ effectiveness. Planning Practice Guidance is clear that Local Plans should not seek to duplicate neighbourhood plan policies (Paragraph: 013 Reference ID: 12-013-2070728), and it is accepted that Local Plans should not replicate matters dealt with in other legislation to ensure plans remain succinct and easier to implement. We see no justification as to why the same approach should not take place here, especially when reference is made to the already adopted site allocation policy.

Furthermore, we are of the opinion that the allocation’s reference to restricting residential uses on Bournemouth Road is unsound as it may not represent the most appropriate strategy for the site. Bournemouth Road already includes residential uses, and it may be appropriate to introduce these as part of the allocation. This could be located at the upper levels, maintaining an active frontage a ground level and ensuring that the residential component remains separated from the Bussey Building where policy promotes the continued use of creative and night-time industries.

This wording also conflicts with the General Permitted Development Order which allows for the conversion of these offices to residential use. Should these rights be implemented, there would be no basis on which to resist the redevelopment of these buildings for residential use.

Without the benefit of an application it is unclear as to whether the proposed approach is the most appropriate solution for the Bournemouth Road part of the site. If NSP78 were to be adopted in its current form, there would be conflict with PNAAP 4 as under this policy residential uses could come forward on this part of the site.

NSP78 is therefore considered **unsound** as it is unjustified and the conflict between adopted and emerging policies reduces the effectiveness of delivering a suitable solution. It also conflicts with the provisions of the GPDO, and the level of detail identified can be appropriately controlled when determining any future planning application for the site.

Proposed Solution

To make the plan sound, we propose that Allocation NSP78 is deleted in its entirety and the Peckham Area Vision Map reflects this site as PNAAP 4, similar to other allocations that are shown.

Closings

We hope that the above comments are of use, and would be very pleased to answer any queries you may have. On behalf of our client we would also like to be registered on the Council's database for notifications of the subsequent Examination in Public of the New Southwark Plan and reserve our right to represent our client in future discussions.

Should you wish to meet to discuss the above site in further detail or if you require any further information, please do not hesitate in contacting [REDACTED] or [REDACTED]

Yours sincerely,
[REDACTED]

MONTAGU EVANS LLP

Name: [REDACTED]

Role: Vicar & Chair of Trustees

Organisation: Copleston Church and Community centre

Contact email: [REDACTED]

Address: [REDACTED]

Introduction

The following are comments I wish to make on the proposed version of the New Southwark Plan on behalf of my organisation. I wish to appear at any public hearing/oral examination of these issues.

Firstly, I recognise the inclusion of Community Land Trust homes in the New Southwark Plan as a recognised ‘Low cost home ownership product’ (pg 24) and as part of the Site vision for site NSP75, saying ‘Redevelopment of the site must... Provide new intermediate affordable housing through a community land trust.’ (pg 312). I would also like to commend Southwark Council’s ambitious target to deliver 11,000 new council homes by 2043 with the first 1,600 complete or underway by the end of 2018. (pg 8).

This letter is largely in order to comment on one particular site – NSP75: Aylesham Centre and Peckham Bus Garage. After speaking to over 1,000 local people, attending all the public consultation workshop held by Tiger, running our own workshops on issues related to the site, canvassing local residents, shoppers and traders, Peckham Citizens has produced our Citizens Charter, a full copy of which is submitted along side this letter. Our headline proposal in the Charter is for the following to be delivered on the Aylesham site:

1. Affordable Homes

35% - 50% genuinely and permanently affordable, high quality homes for local people, priced according to local incomes, including social housing and a Community Land Trust.

2. Good Jobs

1 in 3 jobs for local people at all levels of seniority, a fully-resourced, targeted training strategy and all employees on site to be paid at least the London Living Wage.

3. Celebrating Peckham

An open, street-based design that includes a significant public space, protects key, local retailers and reinforces the existing culture, economy and built environment of Peckham, with no building on site at more than 9 stories tall.

4. Community Engagement

A commitment to meaningful community engagement with residents, traders and community organisations throughout the design, construction and management of the project. This should include local stakeholders being part of determining how any Section 106, Community Infrastructure Levy or overage agreement funds might be allocated.

Section 1

There is one item in particular that the following section refers to – the height of buildings on the Aylesham site. Please see the comments below:

Site Specific Policy NSP75: Aylesham Centre and Peckham Bus Station (pg 312-314) is unsound because:

- it is not consistent with the National Planning Policy Framework and has not been positively prepared.

The National Planning Policy Framework states that there is the need for “*early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses*” in order to make a “*collective vision*”.

Peckham Citizens have set up a petition calling for no towers on the Aylesham site but instead “*an open, street-based design that reinforces the existing culture, economy and built environment, celebrating Peckham as it already exists and with no building more than 9 stories tall*”. At the time of writing, the petition has gained nearly 5000 signatures, and this is without any media coverage other than the ‘hyper-local’ newspaper The Peckham Peculiar. In addition to the online petition, signatures have been collected on Rye Lane, at Peckham Bus Station, from the residents on surrounding streets and in local businesses, churches and schools. Almost without exception, people are unaware of the plans for a tall building on this site, and when informed of them, do not support them.

This policy has not been positively prepared because it was not effectively publicised and consulted on. It has been prepared contrary to the prevailing local opinion.

The large numbers of people who have signed this petition show that a tall building is not wanted by the vast majority of people who know, live in and love Peckham. It therefore does not form part of a “*collective vision*” for the site and is not consistent with National Planning Policy.

The Current London Plan (2016) states in point 7.28 that “*The Mayor will work with boroughs to identify locations where tall and large buildings might be appropriate, sensitive or inappropriate*” and the New Draft London Plan states in 3.8.3 that the “*Mayor will work with boroughs to provide a strategic overview of tall building locations across London*”. However there is no evidence to suggest that Southwark Council have worked with the Mayor’s office to determine if the Aylesham Centre and Peckham Bus Station site is appropriate for tall building(s). Therefore the policy is not consistent with regional planning policy or the National Planning Policy Framework.

The Aylesham site is within the setting of two conservation areas, many listed buildings including the 200 year old Rye Lane Chapel and key unlisted but much loved buildings such as the Jones and Higgins clocktower. The **Current London Plan 7.25** requires that “*Tall buildings be resisted in areas that will be particularly sensitive to their impacts and **only** be considered if they are the most appropriate way to achieve the optimum density in highly accessible locations*”. Therefore the proposed policy is not consistent with regional planning policy.

-it is not justified and has not been prepared positively.

Tall buildings have a number of detrimental effects on the surrounding area and the environment through:

- shading,
- creating wind tunnels and ‘shadows’ that are notoriously hard to predict or mitigate once in place,
- higher energy use, embodied energy and maintenance costs,
- a detrimental impact on small-scale entrepreneurial activity,
- lack of external amenity space and ‘doorstep play’ areas which make them unsuitable for families,
- overlooking and loss of privacy for the existing surrounding buildings, including several streets of two and three storey houses that will be directly adjacent and their private outdoor space easily visible,
- a loss of ‘sky’ for pedestrians, loss of views for the users of nearby buildings and the creation of a feeling of being loomed over can significantly degrade the experience of the public realm and quality of place,
- isolation from the ground making the surrounding area feel less safe and enlivened,
- segregating the wider community by income; essentially becoming a gated community in the sky which limits interaction and social capital across socio-economic groups.

Recent research is summarised in the **White Paper on The Impacts of Tall Buildings: A Research Summary, 2015**, by Michael Mehaffy, Sustasis Foundation, Delft University of Technology (attached).

A medium rise development would be more in keeping with the character of the area and would not have the same, far reaching, negative impact of a 20 storey tower. Therefore the proposed policy is not justified as it has not been shown that an equivalent amount of housing could not be created on this site by other forms of development that has less negative impact.

While the **New Southwark Plan Preferred Version Consultation Report** refers to the **Peckham and Nunhead Area Action Plan (PNAAP)** finding the principle of a tall building acceptable on the site, this is based on an outdated urban design study. Public attitudes to high-rise development have shifted significantly in recent years and are supported by the growing body of research that exposes their negative impacts.

As the research behind the principles in the PNAAP is now outdated and they are contrary to national and regional planning policy, they are not justified and should not be used at the basis for further planning policy.

This policy is not justified as the significant harms that would be caused by a tall building on this site have not been identified and the evidence that tall buildings are necessary to achieve increased density and regeneration has not been presented. See also the comments on **Policy P14: Tall Buildings**, (below).

There is a wealth of evidence indicating that tall buildings are not the ideal form of housing for the majority of people, particularly those who are vulnerable, families, those with many health issues or

disabilities and those on low incomes. These include a comprehensive literature review by Professor Gifford of the University of Victoria that sought to answer the question ‘are high-rise buildings a net benefit or cost to their residents?’ that concluded “*high-rises are less satisfactory than other housing forms for most people, that they are not optimal for children, that social relations are more impersonal and helping behaviour is less than in other housing forms,*”.

The forms of housing identified as most in need in the **Strategic Housing Market Assessment (Chapter 6, Tables 6.11, 6.14 and 6.15; Chapter 7, Tables 7.1, 7.2, 7.11 and 7.13)**; and the **NSP Proposed Submission Version Policy P1: Affordable homes (pg 21-25); P2: New Family Homes (pg 26); P5: housing for older people (pg 30); P6: Homes for Households with Specialist Needs (pg 31-32); and P13: Residential Design (pg 39-41)** are those least suitable for high-rise development. Therefore this policy is not effective or positively prepared as it does not address this issue.

The NSP Proposed Submission Version has removed the requirement for any meaningful open or public space. The Consultation Report indicates this in response to a respondent who requests that an area equivalent to at least 15% of the site be put aside as open space. This has not been prepared positively and is not justified as it does not explain why the open space requirement has been removed.

-it is not effective.

The proposed policy states that “*the site could include taller buildings subject to consideration of impacts on existing character, heritage and townscape.*” and that “*Careful consideration would also need to be given to the neighbouring residential areas and important local heritage buildings.*” This is not effective because it does not identify what the criteria or methods for assessing the negative impact of a 20 storey tower will be, or what mitigating factors would be expected, effective or acceptable.

The proposed policy does not state what level of harm or benefit for the community would be acceptable considering the negative impacts caused by tall buildings over a wide area and therefore is not effective.

The proposed policy is not effective because it does not identify and define what type and degree of environmental harm would be acceptable or how it should be mitigated on this site.

Changes that would make the policy sound include:

- Revising the policy to reflect current research into the effects of tall buildings.
- Requiring greater public consultation for the aspects of this policy that involve a significant change from the prevailing conditions. This should include leaflets widely distributed including to all residences and businesses in the surrounding area, on-site/street displays that are held in prominent local locations, publishing in local newspapers, and meetings with local groups, churches, schools, etc., that highlight that this site has been identified as suitable for a tower of 20 storeys and inviting comment.

- Preparing the policy in line with the feedback from an extensive and well-advertised consultation with local residents, businesses and community groups, or justifying why it should not be done.
- Related policy **P17: Conservation areas (pg 44-45)** could be strengthened by changing the wording to include the need for more extensive advertising of and public consultation on proposals that are brought forward that are higher than the prevailing existing townscape.
- Requiring that any proposals on this site must prove that the local housing need (in numbers and type, especially family housing) can only be met by including tall buildings rather than other forms that have less negative impact such as medium-rise developments.
- There should be a presumption stated that forms of building that achieve a similar level of benefit/accommodation but have a lesser negative impact on the surrounding area should be proven to be unachievable before a tall building (with a high level of negative impact) is allowed.
- In order to prevent segregation of the local community and the resultant harm to community cohesion, the policy should require that any development and all the major individual elements (eg buildings) of a development should comply with the relevant assessed housing need in the area, or justify why it cannot.
- Many of the issues that are important are in/we spoke to over 1000 local people to develop a Charter for the aylesham site that calls for a number of the above...attached. This should be included in the consultation document. Propose changes as per our charter and the letter from the leaders, attached. Those named/I would welcome the opportunity to appear at a public hearing or oral examination of this policy.

Section 2

There is a second item in particular that the following section refers to – the height of buildings across Southwark as a whole. Please see the comments below:

Policy P14: Tall Buildings (pgs 42-43) is unsound because:

- it is not consistent with national and regional planning policy.

The Current London Plan (2016) and Draft London Plan require that “*Tall buildings should be part of a plan-led approach to changing or developing an area*”, yet all restrictions on the height and location of tall buildings have been removed from the NSP and replaced with vague sentences such as we “*use a number of criteria to determine applications*”.

The National Planning Policy Framework paragraph 155 states the need for “*early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses*” to reflect a “*collective vision*”. However, it has become clear through the petitions (referred to above) and the public consultation work that Peckham Citizens has undertaken that the vast majority of local people are unaware of this policy, and when made aware, do not agree with it. Hence it does not reflect the prevailing local opinion or a “collective vision”.

This policy is therefore not consistent with national and regional planning policy.

-it is not justified.

All specific restrictions on the location and height of tall buildings have been removed from the NSP Proposed Submission Version (apart from in the site specific policies) which will open the door to the argument of precedence alongside existing or proposed tall buildings covered by site specific policies. The effect will be that clusters of tall buildings can be developed around a site with a site specific policy that had intended to allow just one tall building. There is a significant danger that this will happen on and around the Aylesham Centre and Peckham Bus Station site.

If clusters are to be encouraged around existing tall buildings then this is a significant change in policy and has not been widely publicised or consulted on therefore it is not justified.

The NSP states (pg 42) that “*Tall buildings ... can be an important component in contributing to Southwark’s physical regeneration, raising population density, avoiding urban sprawl and increasing the activities and life opportunities on offer for nearby residents.*” This is not proven, in fact a growing body of recent research is summarised in the **White Paper on The Impacts of Tall Buildings: A Research Summary, 2015, by Michael Mehaffy, Sustasis Foundation, Delft University of Technology** (attached). It shows tall buildings have detrimental effects on the surrounding area and the environment through:

- shading,

- creating wind tunnels and ‘shadows’ that are notoriously hard to predict or mitigate once in place,
- higher energy use, embodied energy and maintenance costs,
- a detrimental impact on small-scale entrepreneurial activity,
- lack of external amenity space and ‘doorstep play’ areas which make them unsuitable for families,
- overlooking and loss of privacy for the existing surrounding buildings, including several streets of two and three storey houses that will be directly adjacent and their private outdoor space easily visible,
- a loss of ‘sky’ for pedestrians, loss of views for the users of nearby buildings and the creation of a feeling of being loomed over can significantly degrade the experience of the public realm and quality of place,
- isolation from the ground making the surrounding area feel less safe and enlivened,
- segregating the wider community by income; essentially becoming a gated community in the sky which limits interaction and social capital across socio-economic groups.

The House of Commons (2001) report: Tall Buildings: Report and Proceedings of the house of Commons Transport, Local Government and the Regions Committee found that *“The main reason that the Committee held an inquiry into tall buildings was to identify the contribution which they can make to the urban renaissance. We found that contribution to be very limited. The proposition that tall buildings are necessary to prevent suburban sprawl is impossible to sustain. They do not necessarily achieve higher densities than mid or low-rise development and in some cases are a less-efficient use of space than alternatives. They have, for the most part, the advantages and disadvantages of other high density buildings. They can be energy efficient*, they can be part of mixed-use schemes and they can encourage the use of public transport where there is spare capacity, but so can other types of high density developments. Tall buildings are more often about power, prestige, status and aesthetics than efficient development.”*

*Note: more recent research is showing that this is not correct in the London climate, for example refer to the research by Philip Steadman (Emeritus Professor of Urban and Built form Studies and Research Fellow UCL).

-it is not effective.

If clusters of tall buildings are not intended to be allowed alongside existing or proposed tall buildings covered by site specific policies then this policy is not effective as it does not have any specific measures to control this possibility.

As the guidance for the location and height of tall buildings has been removed from the NSP, there is now no effective guidance to how the height and location of tall buildings should be assessed.

-it is not positively prepared.

The statement *“We have taken a consistent approach when planning for tall buildings and use a number of criteria to determine applications”* in policy P14 is unfit for purpose as it is too vague to form a meaningful guidance for when tall buildings will be appropriate and does not reflect that this is a significant change to the existing policy.

This policy therefore does not meet the test for being positively prepared.

Changes that would make the policy sound include:

- The specific sites where tall buildings might be appropriate should be identified with a full description of the height, massing and type of building that would be acceptable, and this should be widely and extensively publicly consulted on.
- Revise the policy in line with recent research that challenges the principle that tall buildings increase density and help regeneration, or justify why this has not been done/is not appropriate.
- All other areas should be specified as not appropriate for tall buildings, unless separate, extensive public consultation that makes the scale of the change clear, is undertaken and widely publicised by the council on a case by case basis.
- Define what a ‘tall building’ is in line with the National Planning Policy Framework including the **New Draft London Plan Policy D8 part A**.
- Publish the “range of views” on tall buildings that have been gathered in the council’s consultation process (referred to in the Consultation Report) and quantify the numbers of people for, neutral, and against. This should be considered alongside the petitions that have recently gained thousands of signatures against towers.

New Southwark Plan (NSP) Proposed Submission Version - December 2017 - Corinne Turner response.

Southwark resident at [REDACTED]

Email address: [REDACTED]

I wish to take part at the oral examination / public hearings.

Is the Local Plan Legal?

The NSP is not legally compliant because the consultation information, documentation and material produced, whether online or hard copy, was not inclusive, accessible or comprehensible to the vast majority of Southwark residents and businesses affected by the plans.

The NSP is not legally compliant because the consideration for inclusivity and accessibility compliance is not effective, as it allowed consultation material to be published and consulted upon that was not inclusive or accessible, and which could not be successfully and comprehensibly understood by local residents and businesses, some of whom are badly impacted by the plan.

Planning affects every aspect of our lives, so it is vitally important for local residents, businesses and communities to have full access to local plans and proposals that may affect their lives on any level. These local plans and proposals need to be fully understood by the communities they affect, so everyone can input into them and have their voices and views heard.

The NSP information and documentation was not prepared, presented or made available in a way that was accessible to all Southwark residents and businesses affected by them. So much so that much of the information and documentation remains unseen and unknown by the vast majority of people most badly impacted by its proposals.

For those residents and businesses who did want to know more and who were interested in further understanding the plans, they were often presented with information delivered in such a way as to be inaccessible and incomprehensible.

The NSP is not legally compliant because it goes against the Equalities Act because it is unbalanced, not equitable because it encourages development in Southwark which favours the wealthy.

The information contained in the NSP is biased because it is skewed towards development, so does not constitute a fair, equitable and balanced representation of the needs of existing residents, businesses and communities.

The NSP is not legally compliant because the Statement of Community Involvement (SCI) is out of date and not fit for purpose.

The NSP community consultation was carried out in accordance with the Council's adopted Statement of Community Involvement (SCI). This document is out of date and not fit for purpose, so it is no longer relevant as a consideration for legal compliance for the NSP for future consultations.

IP6: Statement of Community Involvement

This policy is not positively prepared or effective because the SCI is out of date and not fit for purpose.

The Statement of Community Involvement (SCI) is a key reference and consideration for legal compliance, is out of date and not fit for purpose, therefore not relevant as a point of reference or consideration of legal compliance of the NSP.

Please see my further comments under **Is the Local Plan Legal?**

7. Development management policies

SP1: Quality affordable homes

This heading should be deleted and not used as a phrase, as it is contradictory and inaccurate as a description for the homes Southwark Council delivers.

The use of the heading 'Quality affordable homes' in SP1 and here in 7. Development management policies is misleading. It gives the impression that Southwark Council builds good quality homes at prices everyone can afford. Also, the use of the phrase as a heading in this context implies the homes being referred to are 'new builds', as if 'new builds' are the only homes of quality that exist and therefore are a type worth having. The experience of Southwark residents however is to the contrary. They have found neither of these to be true.

P1: Affordable homes

This policy is not effective because it is not providing the social homes that are needed.

The system of delivering homes and offices in our towns and cities continues to be used primarily as a money making vehicle, where maximising profits is the sole driving factor. There are many examples in Southwark, where the effect of simply drawing a line around a site is enough to ensure the land within the site boundary experiences an inexorable rise in value.

The Council is complicit in this by marketing its property in the global arena and encouraging the upward trend of land value, which in turn creates further inequable and unaffordable conditions further down the line. Gone are the ideals of the past where the provision of ensuring a good home to everyone in our society was a guiding principle.

So abused is the system and corrupted by greed that communities feel powerless and invisible. Their views are given little to no consideration, often suffering immeasurably without recourse from the wider, more damaging impacts upon them.

We need a different way to go about ensuring a better society for us all and our children to live in. Instead of developer driven projects we need a more community led approach.

P3: Protection of existing homes

This policy is not effective because many people's homes are being demolished.

As the regeneration of Southwark continues across the borough, so too does the demolition of perfectly good, well built homes and accommodation. There is little protection and Southwark residents are losing their homes at an unprecedented rate.

Long established communities have been broken up and destroyed. Many residents remain under the threat of losing their homes and being forced out of the area they have lived and known as home. As more development sites are identified in the Council's plans, the number of losses increases.

SP2: Social regeneration to revitalise neighbourhoods

SP2: Social regeneration to revitalise neighbourhoods

This policy is not positively prepared, not justified and not effective as there is no evidence that it is integrated into the Development Management Policies.

Although it has a welcome addition of needing to benefit existing residents as well as new residents, this is not translated into the rest of the plan.

Also, please see notes below in my grouped response to P10, P11, P12 and P13.

P10: Self and custom build, P11: Design of places, P12: Design quality and P13: Residential design
These policies are not effective because they do not satisfy the needs of the myriad communities in Southwark.

The current prescriptive way in which places, spaces and homes are designed and delivered, does not take into account the needs of the myriad different cultural activities and ethnically diverse communities in Southwark, where the borough's provisions are inadequate. There needs to be a completely new way of looking at the way we socialise and the accommodation thereof. This is also relevant to SP2 Social Regeneration as the provision of social spaces is essential efficient social regeneration.

The lack of free community spaces with kitchen provisions, where it is safe for children and where people can meet and share sustenance, is having a devastating effect on our society. There are increasing numbers of disconnected and disenfranchised individuals and families unable to cope. Since 2007-8 in Southwark, there has been an upward trend in the suicide rate, which over the period 2013-15 was higher than the national average.

There is a failure to require larger predominantly residential developments to include smaller scale workspace for which there is a strong demand and that can be realistically combined with residential, including office, workshop and light industrial, studio and workroom storage. Also there is a failure to give clarity on policy about workspaces in combination with, or ancillary to, residential.

I would like to give more details in my further statement in advance of the oral examination.

P14: Tall buildings

This policy is not consistent with National Planning Policy because it fails to comply with the London Plan.

Policy D8 in the London Plan requires that developments plans define what is considered a tall building, identify their appropriate location and general heights on a map while also requiring boroughs to work with the mayor to identify strategic locations.

Policy P14 of the NSP does not do this. It gives no definition of a tall building and includes no maps or corresponding heights and there is no evidence of working with the Mayor.

This policy is not justified because it involves a significant policy change from the previous tall buildings policy and there is no substantive evidence base to support this policy change.

The evidence base for this policy is not up to date:

The 2011 Core strategy identified particular locations in the borough where tall buildings were appropriate, and this was supported by a Tall Buildings Research Paper (March 2010). No similar study has been undertaken to support the significantly different new policy that tall buildings may effectively be appropriate anywhere in the borough.

Not positively prepared as some aspects of the policy are vague or unclear

The plan fails to properly define what would constitutes a “tall building” while the phrase “significantly taller than the surroundings” is too vague to be in any way useful.

This policy is not justified because there is sound and compelling evidence, both social, ecological and environmental to contradict the reasons Southwark Council have given for encouraging tall buildings in the NSP.

I would like to give more details in my further statement in advance of the oral examination.

P18: Conservation of the historic environment and natural heritage

This policy is not positively prepared, effective, or consistent with national policy.

As this policy recognises, there are many conservation and heritage assets that do not get awarded the protection they deserve, so are not protected under the Planning Act 1990 (Listed Buildings and Conservation Areas).

Amongst other things, communities place a great deal of importance on existing (built) structures, no matter if it is an arch, viaduct, house, tower block or some other construction, with much significance given to honouring an architect's original interpretation of a place. As well as the value of the emotional ties and attachments a community might have for a structure and the life it is given by that community.

Local List are an essential acknowledgement of this and the value a community places on individual buildings and structures within it. However there is no longer the provision in Southwark for a Local List. It is a nationally recognised method for giving them protection. So to make this policy sound it needs to be reinstated.

P19: Borough views

This policy is not positively prepared because it does not afford protection to the London panorama as seen when looking north from the rooftops of the Peckham Multi Storey building and the Bussey building in Peckham town centre.

These rooftops have become strongly associated with the now famous panoramic view of London, as described above. They provide significant viewing spaces where thousands of visitors come to visit and experience the views, which are now synonymous with Peckham's social infrastructure and local economy, so much so that it needs protection in this policy.

SP4: Strong local economy

This policy is not positively prepared because it fails to recognise the shortfall of provision across the borough of adequate spaces for street traders.

This policy is not positively prepared because there is no provision for spaces for 'Community Kiosks' or 'Hole in the Walls'.

Over the decades across the whole of London tens of thousands of street traders have been lost. Once the sign of busy and thriving local economies, the few that survive today face increasing and unjustified pressure, with the fear of losing their stalls and pitches through regeneration and development.

The NSP needs to ensure these vital spaces are not lost or are got rid of and new spaces are found to ensure there is increased provision, so this type of activity is able to continue and safeguarded into the future. With fewer overheads than shops, these traders can keep the costs of their merchandise low and at reasonable enough prices for them to successfully serve the needs of the very large demographic of the hard pressed, low waged, urban poor members in our society, and in doing so make an important contribution in helping to strengthen the local economy.

P25: Strategic protected industrial land

This policy is not positively prepared, justified or effective because there is a failure to protect industrial land designations across Southwark.

There is insufficient protection of industrial land across Southwark and a failure to designate new sites This is inconsistent with the Mayors wishing and the London Plan which calls for no net loss of industrial land in London.

8. Area Visions and Site Allocations

The proposals for redevelopment of the following sites are not justified because the views of the local residents have not been fully considered and taken into account. I can expand on this at the oral examination.

Bermondsey Site Allocations:

- NSP 10: Biscuit Factory and Campus
- NSP 11: Tower Workshops
- NSP 12: Chambers Wharf
- NSP 13: Old Jamaica Road Business Estate

London Bridge Site Allocations :

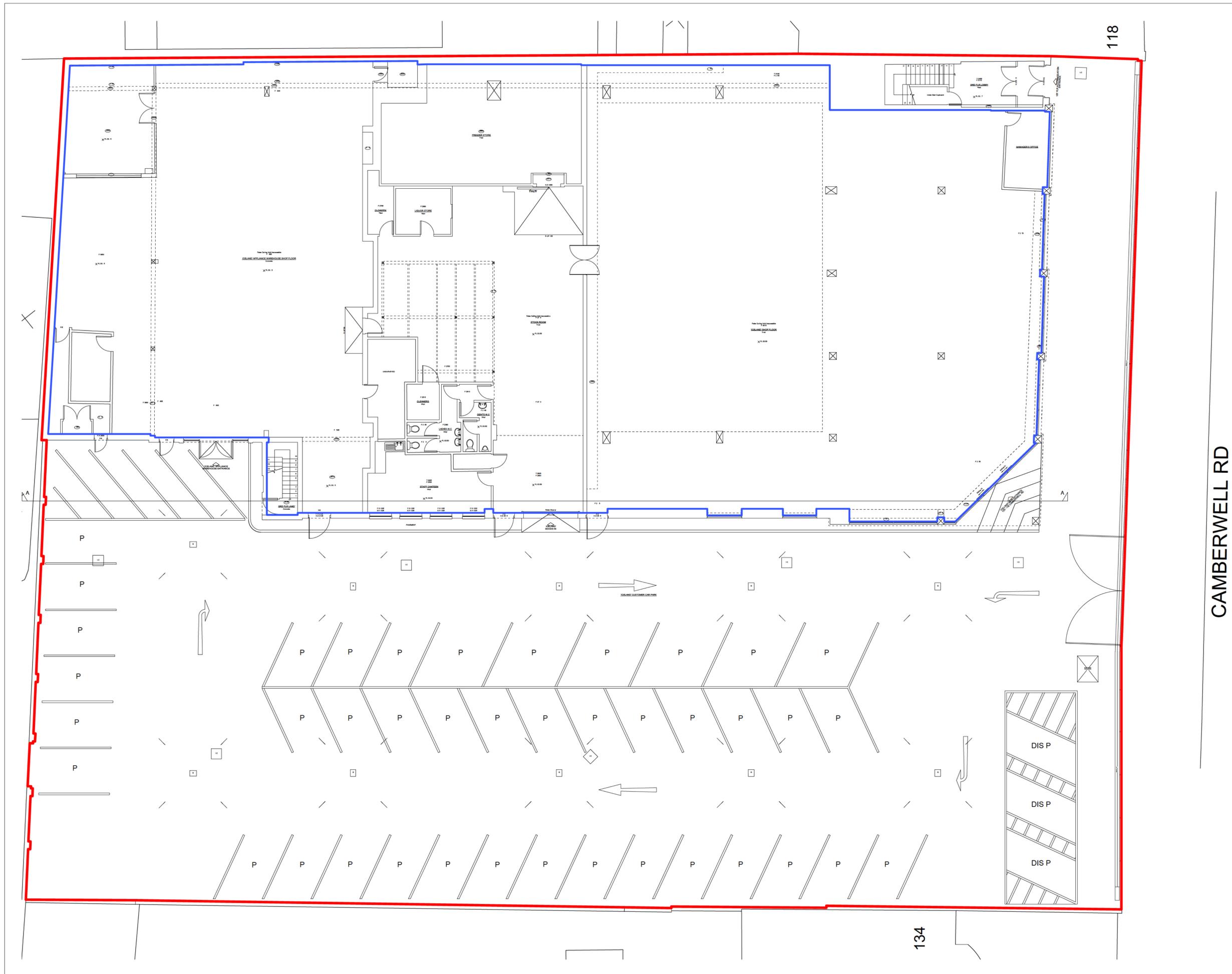
- NSP 51: London Bridge Health Cluster
- NSP 52: Land between Melior Street, St Thomas Street, Weston Street and Fenning Street
- NSP 53: Land between St Thomas Street, Fenning Street, Melior Place and Snowsfield
- NSP 54: Colechurch House, London Bridge Walk

Old Kent Road Site Allocations

- All sites especially,
- NSP 57: Mandela Way
 - NSP 68: 107 Dunton Road (Tesco store and car park) and Southernwood Retail Park
 - NSP 64: Former Southern Railway Stables
 - NSP 65: Land bounded by Glengall Road, Latona Road and Old Kent Road

Peckham Site Allocations

- NSP 75: Aylesham Centre and Peckham Bus Station
 - NSP 76: Blackpool Road Business Park
 - NSP 77: Land between the railway arches (East of Rye Lane including railway arches)
 - NSP 78: Copeland Industrial Park and 1-27 Bournemouth Road
-



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Key:

	Gross Lettable Area - Commercial:
-	Ground Floor: 1319 sq m
-	First Floor: 67 sq m
TOTAL	1386 sq m

Revision	Date	Item
A	2/27/18	For information



Project
 123-132 Camberwell Road

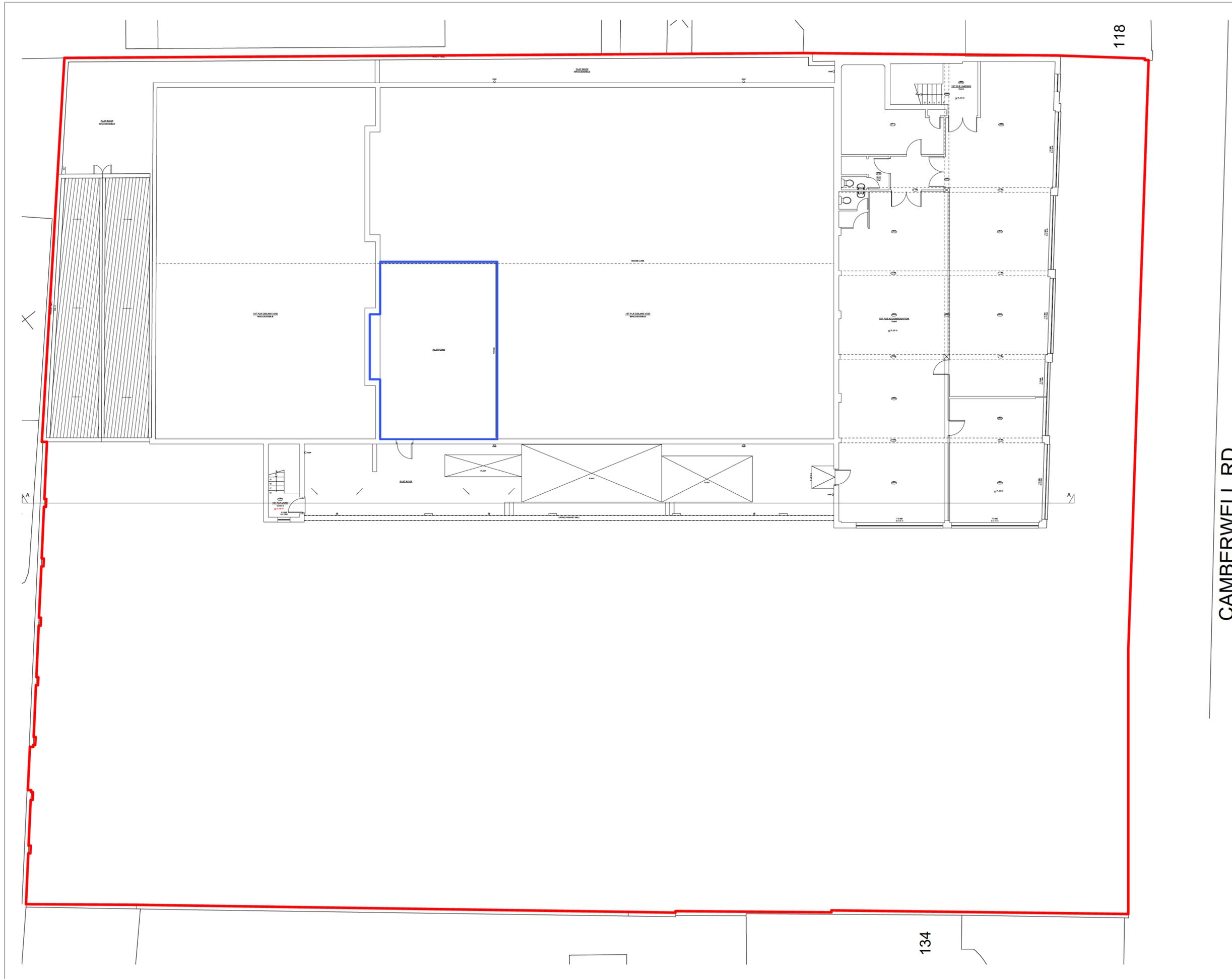
Address
 Southwark, London, SE5 0EE

Client
 Governside Ltd

Drawing Title
 Commercial Area - Ground Floor

Job No 524-D	Drawing No SK(00)9000	Revision A
Scale @ A1 100	Drawn CS	Checked SF





118

134

CAMBERWELL RD

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Revision	Date	Item
A	2/27/18	For information



Project
 123-132 Camberwell Road

Address
 Southwark, London, SE5 0EE

Client
 Goverside Ltd

Drawing Title
 Commercial Area - First Floor

Job No	Drawing No	Revision
524-D	SK(00)9001	A

Scale @ A1	Drawn	Checked
100	CS	SF



27 February 2018

New Southwark Plan Consultation
 Planning Policy Team
 Southwark Council
 160 Tooley Street
 London
 SE1 2QH



E: [REDACTED]
 DL: [REDACTED]

33 Margaret Street
 London W1G 0JD

T: [REDACTED]
 savills.com

Sent via email: planningpolicy@southwark.gov.uk

Dear Sir / Madam

**NEW SOUTHWARK PLAN: PROPOSED SUBMISSION VERSION (DECEMBER 2017)
 REPRESENTATIONS SUBMITTED ON BEHALF OF CROWN PROPERTIES: NSP29: ICELAND, 118-132
 CAMBERWELL ROAD**

We are instructed by our client Crown Properties, to submit representations in relation to the above site, in response to the London Borough of Southwark's (LBS) consultation on the New Southwark Plan (NSP): Proposed Submission Version.

As a general comment, we note that the National Planning Policy Framework (NPPF) requires all Local Plans to be based upon and reflect the presumption in favour of sustainable development, with clear policies that will guide how this presumption should be applied at the local level.

The NPPF states that local planning authorities should positively seek opportunities to meet the development needs of their area and Local Plans should meet objectively assessed needs with sufficient flexibility to adapt to rapid change. They should be consistent with the principles and policies of the NPPF and should be aspirational but realistic.

Our client supports the site allocation for mixed use residential development. However we would like the opportunity to clarify the existing floor areas that are set out in the draft allocation.

The existing uses are as follows

- Residential 342 Sqm
- Commercial 1,386 Sqm

We enclose the existing plans are part of these representations.

We look forward to confirmation of receipt of these representations and we reserve the right to appear at the Examination in Public should we wish to. Please feel free to contact me or my colleague [REDACTED] if you have any queries or would like to discuss.

Yours sincerely

[REDACTED]

[REDACTED]
 Associate Director

From: Daniel Pemberton [REDACTED]
Sent: 26 February 2018 11:16
To: planningpolicy
Cc: [REDACTED]
Subject: Re: New Southwark Plan (NSP) - Planning Inspectorate

Follow Up Flag: Follow up
Flag Status: Flagged

Re: New Southwark Plan (NSP) - Site Allocations NSP52 and NSP53 in particular.

In my opinion the NSP is not sound because of numerous reasons listed below.. I do not really understand the idea behind giving powers back to the local community if they are basically ignored in favour of corporate interests and property developers. There has been no effective engagement with the community and were it not for the actions of the OBF the vast majority would be none the wiser despite the huge implications it will have for all of them.

I therefore feel that the site allocation is not justified under the New Southwark Plan as it has not credibly engaged or included any of the local community and it has also completely ignore a plan that would take into account their wishes far more effectively and honestly.

I am happy to take part at the oral examinations and public hearings if the inspector so wishes. I do feel there has been a large lack of engagement and transparency through this whole process.

My reasons, consistent with the OBF, are listed below.

Thanks

d

P14 Tall Buildings Plan.

Not Consistent with National Planning Policy by failing to comply with the London Plan

London Plan policy D8 requires that developments plans should define what is considered a tall building, identify their appropriate location and general heights on a map while also requiring boroughs to work with the mayor to identify strategic locations

By contrast policy P14 of the NSP gives no definition of a tall building and includes no maps and/or corresponding heights while also showing no evidence of working with the Mayor.

Not Justified because it is not based on a robust and credible evidence base.

This policy's evidence base is not up to date:

The 2011 Core strategy identified particular locations in the borough where tall buildings were appropriate, and this was supported by a Tall Buildings Research Paper (March 2010). No similar study has been undertaken to support the significantly different new policy that tall buildings may effectively be appropriate anywhere in the borough.

Not positively prepared as some aspects of the policy are vague or unclear

The plan fails to properly define what would constitute a "tall building" while the phrase "significantly taller than the surroundings" is too vague to be in any way useful.

2. HERITAGE AND CONSERVATION (No Local List)

P18 Conservation of the historic environment and natural heritage

Not Positively Prepared - obvious gaps / inconsistencies

Not Effective (not achievable) or Consistent with National Policy

Not Justified - no clear audit trail of how the preferred approach was arrived at

The policy recognises the existence of conservation and heritage assets that are not protected under the Planning (Listed Buildings and Conservation Areas) Act 1990 but does not provide for a **Local List** which is the nationally recognised method for giving them protection.

Many other councils have borough wide Local Lists conforming with Historic England guidance:

"Local lists play an essential role in building and reinforcing a sense of local character and distinctiveness in the historic environment ... invaluable in engaging the local community in the effective conservation of their neighbourhood's heritage. "

<https://historicengland.org.uk/listing/what-is-designation/local/local-designations>

The council however removed policy DM55 "Local List buildings and views" from the Options version from October 2014 with no explanation as to the disadvantages of having one.

3. AREA VISIONS AND SITE ALLOCATION

NSP52 and 53

Not Justified:

The consultation that has taken place has not allowed for effective engagement of all interested parties and thus any community and/or heritage led alternative visions for these sites have not been properly explored.

These policies have been too vague and contradictory during their evolution to allow for meaningful local consultation. Significant concerns about unprotected assets and the negative effects of tall buildings on the existing character and sustainable development of the area (at the Preferred Options Stage) have been largely ignored while at the same time the council has had numerous private meetings with prospective developers looking at the complete re-development of St Thomas Street.

Proper detailed community consultation is now required on these site allocations.

Not effective or positively prepared.

The internal inconsistency between the tall buildings, the site development capacity and the intention to “retain and enhance where possible the townscape setting provided by key heritage assets” means the policies are not achievable.

When the proposed floor-to-area (FAR) ratio is considered in hand with the actual site layout and proposed public space improvements, the unspecified taller buildings encouraged to the west of the site will inevitably be very tall and by causing visual obstruction overshadowing and wind tunneling etc. cause significant damage to the local heritage setting of the Horseshoe Pub, the Vinegar Warehouse (in the case of NSP53) and the St Thomas Railway Arches and to the character of the Bermondsey more widely.

The wording of the allocations should be tightened to ensure the actual preservation of local assets and the enhancement of their settings whilst “taller buildings” should either be defined in relation to the actual adjacent context (Becket House in the case of NSP53) or simply given a specific height limit - as is indeed required by the Mayor's London Plan.

:: tel: [REDACTED] :: eml: [REDACTED] ::
:: mob: [REDACTED] :: web: [REDACTED] ::
:: pst: [REDACTED] ::

[REDACTED]

From: DAVID CANNON [REDACTED]
Sent: 22 February 2018 18:19
To: planningpolicy
Cc: [REDACTED]
Subject: NSP76 Blackpool Road Business Park redevelopment

Follow Up Flag: Follow up
Flag Status: Flagged

I wish to comment on NSP76 Blackpool Road Business Park redevelopment.

NAME: David Cannon

ADDRESS: [REDACTED]

EMAIL: [REDACTED]

PHONE: [REDACTED]

I've lived and worked in Southwar for very nearly 40 years. I live on [REDACTED] close to the site proposed for redevelopment.

The proposal for redevelopment of this site is not justified because the existing uses and other alternatives for the site's development have not been discussed with local residents, business or community stakeholders. It therefore does not take into account the benefits of retaining existing uses or potential alternative uses that might be developed on this site to meet the needs of the local economy and community.

Existing Uses There are several existing uses on the site which are viable and meet important needs. There is no justification offered for removing these.

The Old Mill Building is a spacious sturdy Victorian industrial building, and a significant local heritage asset that should be preserved. It is a family church of Community Outreach Ministries, operating as a local community centre which is a valuable community asset.

BuildBase is a very useful and conveniently located builders merchants which I regularly use. It has been established on this site for about 40 years. It is very well used by the many artisan and creative small businesses in Peckham as well as mainstream builders. BuildBase have said they have not been consulted by the Council, and that they have no desire to sell the business or leave the site.

The Bus Garage provides an important depot for local buses. The New Southwark Plan shows that there is no plan for the bus depot to be moved.

Council street works department has a depot on the site, which would have to be relocated.

Two storey housing: this is a small block with small flats run by the Council.

Blackpool Road runs east to west through the site and is an important part of the local pedestrian and road traffic network.

I believe the site should be removed from the New Southwark Plan.

Alternatively, I will be willing to take part in council consultations with the local community about the future uses of this site to develop plans to include in the New Southwark Plan. These should provide for the existing viable uses of the site and create opportunities for other uses compatible with existing viable uses and the surrounding residential area.

Yours sincerely, David Cannon.

Part A: Contact details

NSPPSV44

If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in the next section.

1: Personal details

Title:	<input type="text" value=""/>
First Name:	<input type="text" value=""/>
Last Name:	<input type="text" value=""/>
Organisation (Where relevant):	<input type="text" value="Gulliver Property Management Ltd"/>
Position (Where relevant):	<input type="text" value=""/>
Address line 1:	<input type="text" value=""/>
Address line 2:	<input type="text" value="London"/>
Address line 3:	<input type="text" value=""/>
Postcode:	<input type="text" value=""/>
Email:	<input type="text" value=""/>
Telephone:	<input type="text" value="0"/>

2. Agents details (if applicable)

Title:	<input type="text" value=""/>
First Name:	<input type="text" value=""/>
Last Name:	<input type="text" value=""/>
Organisation:	<input type="text" value=""/>
Position:	<input type="text" value=""/>
Address line 1:	<input type="text" value=""/>
Address line 2:	<input type="text" value=""/>
Address line 3:	<input type="text" value=""/>
Postcode:	<input type="text" value=""/>
Email:	<input type="text" value=""/>
Telephone:	<input type="text" value=""/>

Part B: Representation

Please select **one** policy per form to select which part of the plan you wish to make a representation on. The one option you select should be the item you should be commenting on in the subsequent boxes below. If you want to comment on more than one part of the plan, please submit part B again.

1. To which part of the New Southwark Plan does this representation relate to?

Implementation policy:	
Development Management policy:	
Area Vision:	
Site Allocation:	NSP37: Kwik Fit and Gibbs & Dandy, Grove Vale
Proposal Map:	
Other:	

2. Do you consider the document to be legally compliant in accordance with the Town and Country Planning (Local Planning) (England) Amendment Regulations 2012?

- Yes
- No

3. Do you consider that the New Southwark Plan is Sound?

- Yes
- No

4. Do you consider that the New Southwark Plan is unsound because it is not?

- Effective
- Justified
- Consistent with national policy and the London Plan
- Positively prepared

5. Please give details of why you consider the New Southwark Plan not to be legally compliant or unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the New Southwark Plan, please also use this box to set out your comments.

The following requirement in site allocation NSP37 (Kwik Fit and Gibbs & Dandy, Grove Vale) is unsound: "Redevelopment of the site must: ... provide a new green link from Grove Vale to Besant Place". It could be made sound by replacing "must" with "should consider the opportunity to".

The arguments below follow the 'Test of Soundness' guidelines set out at <https://consultations.southwark.gov.uk/planning-and-regeneration/new-southwark-plan-proposed-submission-version/> and reproduced in Annex A.

The current wording is unsound because it is:

Not positively prepared – the Council has not "objectively assessed the need for ... infrastructure ..." in relation to this particular green link. The site allocation requires that "redevelopment of the site must: ... provide a new green link from Grove Vale to Besant Place". However, there is no objective assessment of the need for this link. The Council's response to a consultation comment (see Annex B) querying the need is that the link is an "aspiration". By definition, this is not an objective assessment of a need.

Not justified – the requirement for a green link in NSP37 is not "based on a robust and credible evidence base". The same logic applies as above, and the aspirational nature of the Council's desire for the link is neither robust nor has a credible evidence base. Indeed, as argued in the previous consultation, there are alternative links in place and the proposed link would not add benefit to any significant degree or numbers of people.

Not effective – the proposed green link in NSP37 is not "achievable" as "the groups who will deliver elements of it haven't signed up to it". Were this requirement to remain in the site allocation, then it would create a disincentive to redevelop the site, thereby resulting in the Plan being ineffective and undermining the Council's aspirations. Furthermore, the relevant group to deliver this green link would be the site owner. The Council is requested to set out the legal basis on which it can require a private land owner to provide a public thoroughfare across his/her land, and what compensation the Council would consider due in such an event. Without this, the Plan is not achievable.

In support of all of the above points, it should be noted that 14 of 85 proposed site allocations include a requirement for green links. In 13 of these 14 cases (all except NSP37 – see Annex C), the "guidance" section of the site allocation provides a clear explanation of the need for the green link, directly related to policies and/or the local area goals set out in the NSP (i.e. with some objectivity and robustness). However, in the case of NSP37, there is no such guidance.

Additionally, in the 'AV.07 East Dulwich Area Vision', there are no specific goals that would lead to a requirement for a green link from Grove Vale to Besant Place. And policies P48 Walking, P58 Green Infrastructure and P59 Biodiversity are all applicable any proposed development and do not provide a justification for including a specific requirement for a green link in the site allocation for NSP37.

6. Please set out what change(s) you consider necessary to make the New Southwark Plan legally compliant or sound. You will need to say why this change will make the New Southwark Plan legally

compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible

The following revised wording is suggested for this part of NSP37: “Redevelopment of the site should consider the opportunity to provide a new green link from Grove Vale to Besant Place”.

This would make the Plan sound as it would be **positively prepared and justified** (“should consider” is appropriate in terms of objectivity, robustness and credibility for an “aspiration”); and **effective** (the requirement would be “achievable”). The Council would retain influence over the form of any development which would be commensurate with the “aspiration” for additional green links.

It should be noted that the NSP site allocation wording is unusual: “Redevelopment of the site must: ... provide a new green link ...”. Other Councils do not mandate green links in this way e.g. the 'Camden Site Allocations Plan 2013' uses language such as "Development will be expected to: ... consider the feasibility of introducing a new pedestrian route through the site". And even Southwark has been more circumspect to date e.g. the 'Peckham and Nunhead Area Acton Plan 2014' uses language such as “Opportunities for increasing north to south, and east to west pedestrian and cycle linkages should be maximised”.

The text for NSP37 is included in Annex D, with the proposed change highlighted.

Part D: Public Examination (required)

If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral examination

Yes, I wish to participate at the oral examination

It is vital that your contact details are submitted correctly to ensure that you can be contacted if you wish to participate in the public examination. Please tick the checkbox to confirm that the details which have been provided are correct.

I confirm that all details provided are correct

Annex A – ‘Test of Soundness’ guidelines

Extracts from <https://consultations.southwark.gov.uk/planning-and-regeneration/new-southwark-plan-proposed-submission-version/>

Unlike previous consultations, we are required to ask two specific questions which will give you an opportunity to comment on how the New Southwark Plan has been prepared, that its aims are achievable and that the plan is based on a robust evidence base. These questions are more commonly known as the ‘Test of Soundness.’ These are the same questions the independent Planning Inspector will be asking as part of the examination. You can comment on the Submission Version of the plan on this consultation hub page or by emailing planningpolicy@southwark.gov.uk.

1. Is the Local Plan Legal?

A plan is considered legal when it complies with [section 20\(5\) \(a\) of the Planning and Compulsory Purchase Act 2004](#).

2. Is the Local Plan ‘Sound’?

As part of the examination, the independent Planning Inspector is required to consider if the New Southwark Plan has been positively prepared, justified, and effective, and is consistent with national policy. You may wish to consider the following before making a representation on the Soundness of our plan:

- **Positively Prepared:** This means that we have objectively assessed the need for homes, jobs, services and infrastructure and these have been delivered sustainably. If you think that our assessments are not objective or do not take sufficient account of unmet needs in neighbouring authorities then your comments relate to whether our Local Plan has been positively prepared or not.
- **Justified:** This means that the Plan is based upon a robust and credible [evidence base](#). If you think that the evidence doesn’t support the choice made in our Local Plan or there are realistic alternatives then your comments relate to whether it is justified.
- **Effective:** This means that the Plan is achievable. If you think that what we are proposing in the Local Plan will not happen as the required infrastructure cannot be provided, the groups who will deliver elements of it haven’t signed up to it or our Local Plan does not join up with the strategies of our neighbouring authorities, then your comments relate to whether our Local Plan is effective or not.
- **Consistent with national policy:** Do you consider that our Local Plan accords with the [National Planning Policy Framework](#), the [London Plan](#), other policies or includes clear and convincing reasons for doing something different? Alternatively, you may think that the Local Plan should depart from national policy due to an identified and justified local need.

Extract from Consultation Report (p.161):

Site Allocation consultation response summary:	Council response
<u>NSP37: Kwik Fit and Gibbs and Dandy, Grove Vale</u> - Traffic/connectivity: - One representation received has stated that the improved connectivity route does not serve any purpose and alternative routes around the site are already well functioning.	- The aspiration for a route is to improve accessibility to Besant Place

Annex C – New Southwark Plan (NSP) Site Allocations with requirements for green links

Site	Redevelopment of the site must:	Design and accessibility guidance
NSP05: 1 Southwark Bridge Road and Red Lion Court	Provide new north-south green links	Redevelopment should provide a new link from Park Street to the Thames Path and improvements to the Thames Path.
NSP17: Ludgate House and Sampson House, 64 Hopton Street	Provide new east-west green links connecting Blackfriars Road to Hopton Street, including a new cycle link	Redevelopment must improve site permeability with new walking routes through the site to the Thames path and Blackfriars Station, and the Low Line adjacent to the viaduct.
NSP20: Land between Paris Gardens, Colombo Street, Blackfriars Road and Stamford Street	Improve connectivity to provide a new green link from Rennie Street to Paris Gardens.	Redevelopment must provide a new link from Rennie Street to Paris Garden and links to the Cycle Super Highway
NSP23: Burgess Business Park	Enhance permeability including new north-south and east-west green links;	Burgess Park is valued for its outdoor wildlife, open space, play and open-air sports facilities and is unsuitable for new indoor built sports facilities. The development should establish green links into Burgess Park and from Chiswell Street to Newent Close, opening up access for new and existing residents with a new public realm offer throughout the site. [<i>Note also: AV.14.2 Development in Walworth should: Improve the local parks and green links between Burgess Park, Nursery Row Park, Lorrimore Square gardens and Surrey Square.</i>]
NSP24: Butterfly Walk, Morrisons Car Park and Police Station	Provide new east-west green links	Redevelopment should provide enhanced accessibility to bus stops and links to cycle routes.
NSP25: Valmar Trading Estate	Provide a new east-west green link from Denmark Hill to Valmar Road.	Redevelopment should create a new walking route between Valmar Road and Denmark Hill to enhance accessibility to the proposed Camberwell Station. Milkwell Yard provides an opportunity to provide improved connectivity for pedestrians.
NSP26: Camberwell Bus Garage	Provide a new east-west green link from Camberwell Station Road to Warner Road.	Redevelopment should enhance walking routes between Camberwell station and Camberwell town centre as well as links to the existing and proposed cycle networks. ... A new public square will be secured because the site fronts on to the entrance to Camberwell Station, where it will mark an arrival point into the neighbourhood, enhance walking routes to the station and be the focus of activity and town centre uses.
NSP30: 49 Lomond Grove	Provide a new east-west green link from Lomond Grove to Brisbane Street.	Redevelopment should contribute towards local permeability by providing a new east-west link from Lomond Grove to Brisbane Street

		<i>[note: Lomond Grove is discussed in more detail in Consultation response]</i>
NSP31: 99 Lomond Grove	Provide a new east-west green link from Lomond Grove to Brisbane Street.	The design should be informed by the prevailing context of recently approved development ... Compact, high density blocks should be combined with a new access route between Lomond Grove and Brisbane Street, creating a more attractive and permeable urban environment.
NSP37: Kwik Fit and Gibbs & Dandy, Grove Vale	Provide a new green link from Grove Vale to Besant Place.	<no guidance provided>
NSP53: Land between St Thomas Street, Fenning Street, Melior Place and Snowsfields	Provide a new north-south green link from Melior Place to St Thomas Street;	Any redevelopment should contribute towards an active, new high street between Borough High Street and Bermondsey Street. Any redevelopment should provide new public open space.
NSP75: Aylesham Centre and Peckham Bus Station	Provide new north-south and east-west green links;	Currently there is poor access to Peckham High Street and Queens Road due to the location of the bus station. Redevelopment should maximise opportunities to improve links across the site, provide new civic space and connect to the existing road and public realm layout, while retaining bus station provision on the site.
NSP76: Blackpool Road Business Park	Enhance permeability, including a new north-south green link aligned with Pilkington Road and Consort Road;	Development should provide new amenity space and enhance permeability of the site with an east-west pedestrian route and exploring opportunities of opening up a route between the north side of the railway line and Bournemouth Road or Copeland Road. ... It may be appropriate to incorporate Blackpool road into proposals for this site to maximize development opportunity, although it remains important to retain east-west connectivity.
NSP79: Rotherhithe Gasometer	Provide a new green link between Salter Road and Windrose Close.	A new green link between Salter Road and Windrose Close will provide access to Canada Water town centre and the woodland to the south of the development site.

Annex D - New Southwark Plan (NSP) Site Allocation for NSP37 (Grove Vale)

Existing submission version of NSP:

NSP37: Kwik Fit and Gibbs & Dandy, Grove Vale			
Site vision	Redevelopment of the site must: <ul style="list-style-type: none"> • Continue to provide a space for employment uses such as builders' merchants and town centre uses compatible with residential uses (A1, A2, A3, A4, B1, D1, D2); • Provide active frontages to Grove Vale; • Provide a new green link from Grove Vale to Besant Place. Redevelopment of the site should: <ul style="list-style-type: none"> • Provide new homes (C3). Redevelopment of the site may: <ul style="list-style-type: none"> • Provide new extra care housing (C2). 		
Site Area	3,266m ²	Existing uses	<ul style="list-style-type: none"> • Car tyre fitter (B1c) – 1,017 m² • Builders' merchant (sui generis) – 938 m²
Design and accessibility guidance	The site is not within a borough designated Archaeological Priority Area or conservation area. The site is within the setting of Grade II listed Goose Green School		

Proposed modification:

NSP37: Kwik Fit and Gibbs & Dandy, Grove Vale			
Site vision	Redevelopment of the site must: <ul style="list-style-type: none"> • Continue to provide a space for employment uses such as builders' merchants and town centre uses compatible with residential uses (A1, A2, A3, A4, B1, D1, D2); • Provide active frontages to Grove Vale; • Provide a new green link from Grove Vale to Besant Place. [move down] Redevelopment of the site should: <ul style="list-style-type: none"> • Consider the opportunity to provide a new green link from Grove Vale to Besant Place; [new text here] • Provide new homes (C3). Redevelopment of the site may: <ul style="list-style-type: none"> • Provide new extra care housing (C2). 		
Site Area	3,266m ²	Existing uses	<ul style="list-style-type: none"> • Car tyre fitter (B1c) – 1,017 m² • Builders' merchant (sui generis) – 938 m²
Design and accessibility guidance	The site is not within a borough designated Archaeological Priority Area or conservation area. The site is within the setting of Grade II listed Goose Green School		

[REDACTED]

From: [REDACTED] on behalf of Planning.Enquiries
Sent: 28 February 2018 09:41
To: [REDACTED]
Cc: [REDACTED]
Subject: FW: Height restrictions in Camberwell

Follow Up Flag: Follow up
Flag Status: Flagged

[REDACTED]

From: Clare, Deborah [REDACTED]
Sent: Tuesday, February 27, 2018 5:43 PM
To: Planning.Enquiries
Subject: Height restrictions in Camberwell

I wish the inspector to rule the current Southwark Plan unsound due to its provisions on maximising housing units for all applications in most of the area visions and its abolition of the existing height restrictions in the current Southwark Plan.

Combined these two provisions make almost all the rest of national and regional planning policy redundant. If any developer wishes to develop any site across the borough, no matter how inappropriately over-developed or how high the development, the local community will have no clear planning grounds to object. The existing national planning policy on a presumption in favour of development has clear policy caveats laid out in various policy documents nationally and in the London Plan.

The provisions in the new Southwark Plan spelling out in clear terms that all developments will be expected to maximise number of residential units provided means all other planning policies would be neutered and any decisions made by the planning committee rejecting very dense and very tall skyscrapers across the borough, could be immediately legally challenged and due to costs incurred by the council in such appeals, would severely disable the planning committee from carrying out its legal functions laid out in national and regional planning policies.

The removal of the 8 and 10 storey height restrictions for residential and commercial tall buildings across the borough, outside of the exempted core action areas, again limits the ability of the planning committee to carry out its legal functions to ensure all applications adhere to national and regional planning policies.

The Camberwell Area Action Plan and the Burgess Business Park exemplifies these problems. This is a largely urban residential community and the removal of all height restrictions and the requirement to maximise housing units in all plans, will radically alter the area, without any real knowledge in the community or in the Southwark Plan consultation process that such a radical change was proposed in the new plan, to change the character of the community, into one that mirrors that of the high rise, very high densities of the redeveloped Elephant & Castle.

The Burgess Business Park is located within a neighbourhood of 2 story Victorian terraced housing. To introduce very high density, tall buildings that reflect the Elephant and not Camberwell deeply damages the established character of the area.

In addition, as Burgess Park is covered by the CAAP and is immediately to the north of the Burgess Business Park,

changing the planning policies as outlined, means the park will be overshadowed from the south and the New Church Road wildlife site which is immediately adjacent to the proposals site, will have its wildlife potential destroyed.

This is just one key example of why the plan's proposed policies make it unsound.

The council needs to remove these provisions before the plan can be considered to be sound.

Please set out what change(s) you consider necessary to make the New Southwark Plan legally compliant or sound. You will need to say why this change will make the New Southwark Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible. : Remove all references in all the area plans that require maximising number of residential units. Restore full section in current Southwark Plan that sets out height limits of 8 and 10 storeys for residential and commercial buildings outside of core action areas. Insert provision stating that parks and wild-life sites will be protected from over-shadowing from new buildings restrictions across the borough.

Deborah Clare



Deborah Clare | Operations | Europe

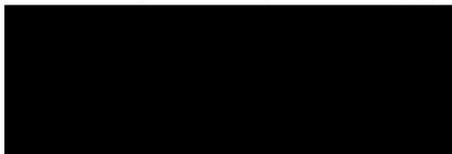


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EVELYN COURT (DEPTFORD) LLP



21 February 2018

New Southwark Plan
Planning Policy
5th Floor, Hub 4
Southwark Council
P O Box 64529
London
SE1P 5LX

Dear Sir/Madam

**Re: New Southwark Plan - Proposed Submission Version NSP80
St Olav's Court & City Business Centre, London SE16 2XB**

We thank you for your letter of 15th January 2018 and for including us within this second stage consultation.

Evelyn Court (Deptford) LLP is a long leaseholder on a unit within City Business Centre which is part of the site identified by Southwark for future development.

Last year you wrote to us inviting our comments on the inclusion of the site in which our unit is located as a possible site for future development and we responded to the initial consultation.

We made representations on the first consultation and in particular we commented on the initial proposal of an arbitrary inflexible requirement for 50% of any new space built on the site to be for commercial purposes. We are pleased to note that the Council have now dropped this and the new requirement is that at least the same amount of commercial space must be included in any new development. We also note that your latest draft includes for the provision of high quality public realm space linking to protected open spaces to the south and this is something that we also welcome. Finally your site vision also includes for the provision of new homes (C3) again this is supported, especially as the previous fixed number of new homes of 73 has been removed, thereby increasing the chances of this site coming forward for development for the benefit of the community.

To summarise we fully support the proposed submission version of the new Southwark plan.

Yours faithfully

A black rectangular redaction box covering a signature, with a red scribble to its right.

Evelyn Court (Deptford) LLP

[REDACTED]

From: [REDACTED]
Sent: 27 February 2018 10:44
To: planningpolicy
Subject: New Southwark Plan

Derek Charles Kinrade iSO, Peckham resident [REDACTED]

email: [REDACTED] [REDACTED]

I wish to take part at the oral examination/public hearings

P1: AFFORDABLE HOMES

I contend that the planned percentages of both affordable and social homes are not commensurate with the housing needs of the borough. Recent developments appear to cater predominantly for affluent buyers (and profit for the developers) and contribute to so-called gentrification.

P6: HOMES FOR HOUSEHOLDS WITH SPECIAL NEEDS

This section is limited to wheelchair housing and should be titled as such. It fails to delineate the opportunities for sheltered housing, mobility housing and lifetime homes (Directory for Disabled People (1999), pp 119-120).

P14: TALL BUILDINGS

So-called towers are in the spotlight following the Grenfell disaster. Their location is particularly sensitive. The 2016 London Plan recognises a need to identify appropriate, sensitive and inappropriate locations. The latest draft plan also calls for definition of what height is considered tall in relation to location. Consultation is an essential pre-requisite.

Derek Kinrade
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]



5th Floor Hub 2
 Southwark Council
 PO Box 64529
 London
 SE1P 5LX

26 February 2017

Dear Sir / Madam

Southwark Council Local Plan Regulation 19 Consultation

The Home Builders Federation (HBF) welcomes the opportunity to comment on Southwark Council's local plan. The HBF is the principal representative body of the housebuilding industry in England and Wales and our representations reflect the views of discussions with our membership of national and multinational plc's, through regional developers to small, local builders. Our members account for over 80% of all new housing built in England and Wales in any one year, and were responsible for building 43% of all affordable homes in England last year.

The HBF would like to be involved in the examination of the plan.

Duty to cooperate

The Mayor and the London Plan is not subject to the duty to cooperate. The Mayor is required by legislation to cooperate with the wider south east, but the duty to cooperate does not legally apply to the preparation of the London Plan. The individual London Boroughs are subject to the duty to cooperate. If Southwark has a large unmet need for housing – then it will need to demonstrate how it has attempted to resolve this issue through the duty to cooperate. This is what is required by the NPPF and is one of the tests of soundness (paragraphs 17, 179 and 182). This is a strategic matter that must be addressed.

We assume that Southwark does not have a large unmet housing need, but it is unclear since the London Plan targets have not been translated into Southwark Local Plan policy.

P1: Affordable Homes

We note that the Local Plan does not include a specific policy target setting out the overall need for new housing in the borough. We would have expected such a policy. Presumably, this policy would have needed to reflect the current London Plan target of 2,736 net additional dwellings per annum. We note that on page 17 that the Council refers to the London Plan target of 2,736 new homes per year. This should be elevated into policy.

We note on page 22 that the Council argues that Southwark's need is for between 1,472 to 1,824 homes per year. It is unclear if this is what the Council considers its objectively assessed need for housing is, in the manner required by the NPPF.

The Replacement London Plan

The Replacement London Plan specifies a lower target of 2,554 dpa. As this will automatically become Southwark Council's new housing target upon adoption of the London Plan (anticipated in early 2019) it might be sensible to refer to this possibility in a policy in the Southwark Plan. This new target would become the basis for Southwark's land supply assessment, five year land supply assessment, and the Housing Delivery Test if this is introduced by government.

Table 1: affordable housing requirement

The policy is unsound as it is unjustified and ineffective.

It is unclear what the Council is seeking in terms of affordable housing.

We understand the Mayor of London's threshold approach to affordable housing. If that is what the Council is seeking through the policy then it would be helpful if it explained this. If it does not support the emerging policy in the London Plan on the threshold approach to affordable housing then the Council needs to state this clearly.

We cannot see how dual affordable housing targets can operate. The Council needs to establish a clear percentage rate for affordable housing.

We note the following conclusion in the Council's local plan viability assessment at paragraph 7.4:

We recommend that the Council adopts a requirement of 35% affordable housing across all developments in the borough as we consider that the Council's flexible policy approach allowing for viability to be sufficient to assist where due to site specific circumstances schemes are unable to deliver 35% 87 affordable housing.

While there may well be circumstances where a rate higher than 35% could be secured, to set such a target in the local plan would militate against the purposes of the plan-led system which is to provide policy certainty for the applicant and the decision-taker. We have been unable to locate the justification for what we assume to be the more aspirational target of 65% affordable housing. If 65% is the aspiration then we would have expected this to be tested. It appears that the viability modelling has only tested up to 50% affordable housing. Paragraph 7.3 of the report does observe:

"Some schemes (subject to their benchmark land values) are able to achieve higher amounts of affordable housing (50% affordable housing).

This would suggest that it may be possible to provide up to 50% affordable housing in some circumstances, the report does not refer to a figure of 65%. There is a scenario for 100% affordable housing but the results, on the whole, reveal non viability, although occasionally it is marginal. It would be sensible if the plan was revised to refer to an aspiration ceiling figure of 50%, but a minimum of 35% would be acceptable in most circumstances.

The policy should differentiate between public and privately owned land, reflecting the Replacement London Plan.

The results of the viability modelling seem very variable and is often viability is marginal. Moreover, viability depends very much on a range of assumptions. Viability appears to worsen with mixed use schemes. The new London Plan is placing a greater emphasis on mixed use schemes, integrating residential with industrial and commercial uses.

We note that the Council will not entertain affordable rent as part of the tenure mix and that its viability assessment justifies this (paragraph 7.5). Given our observations above, we are not so sure that this is the case. We recommend that the policy is amended to allow the provision of affordable rented products so that the policy reflects the range of affordable tenures in the current London Plan, Policy 3.11A.

The Council may also wish to amend the policy to reflect the emerging London Plan affordable housing policy which recommends a split of 30% social rent/ London Affordable Rent and 30% London Living Rent and London Shared Ownership with the other 40% to be determined by Southwark.

The approach to securing affordable housing contributions from schemes of 10 units and fewer is at odds with national policy. National policy exempts schemes of 10 units or fewer, or with a floor area less than 1,000 square metres, from contributing to affordable housing (unless the scheme is located in a designated rural area). The policy should be amended to reflect the approach in national policy. This would help to support small developers and help London to achieve the high number of completions expected from small sites (defined as schemes on land of 0.25 ha and smaller) that is in the emerging London Plan.

Land supply

The Local Plan should include a housing trajectory that illustrates the expected rate of housing completions each year over the plan period and from what sources of supply over the period 2015-25.

We have noted the *Southwark 5 and 15 Year Housing Land Supply 2016-2031* document. In terms of the five year housing supply, it would be useful to have a more detailed breakdown of the status of those sites that do have planning permission in order to judge whether they can, realistically, contribute to the five year supply.

We note the list of sites in appendix one of the document. It would be useful to see the phasing of these sites, in order to judge how many units and in which year they are expected to contribute to meeting housing needs.

The calculation of the five year land supply is incorrect. The application of a 20% buffer is sensible but the shortfall should be added to the five year need (i.e. 2,736 x 5) before the 20% buffer is added. This would result in a five year supply need of 17,156. The Council's evidence suggests that it can still achieve its five year requirement since it has identified land for 18,595 homes (although the non-conventional supply might need to be adjusted to reflect our comments in relation to Policy P24 below.

The Council should update its five year land supply calculation to reflect completions in 2016/17.

P5: Housing for older people

The policy is unsound because it is ineffective.

There is a pressing need to secure more dwellings for older people. This is reflected in the Government's *Planning for the Right Homes in the Right Places* consultation. Both the current London Plan and the Replacement London Plan include benchmark targets for the supply of dwellings for older people. These targets should be referred to in a policy in the Southwark Plan. The current London Plan identifies a need for 115 dwellings per year for older people. This target should be referred to in policy. The policy should read:

“Southwark Council will aim to provide 115 units of older persons accommodation each year. It will operate a presumption in favour of the development of older persons housing where the benchmark target has been missed in the previous monitoring year.

The Council will report annually on the number of units of older persons provided each year in its Annual Monitoring Report.”

We also recommend that schemes for older peoples' housing are exempted from contributing to affordable housing on-site. The financial model for older peoples' housing is different to that of homes for sale, and student housing and build-to-rent, as the service costs are higher (owing to the services that have to be provided on site for older people).

P6: Homes for Households with Specialist Needs

The 10% requirement for homes to be constructed to Part M4 (3) is in conformity with the current London Plan.

P24: Student Rooms

The policy is unsound because it is ineffective in terms of equating the supply of student homes as being equivalent to meeting conventional housing needs.

The current London Plan assesses the need for student housing (SHMA 2013) but it does not do so are part of its demographic modelling. The HBF is not convinced that the provision of student units will contribute to meeting conventional housing needs, or releasing conventional homes, if the GLA has not properly assessed the future growth ambitions of higher education institutions and colleges across London. There is a danger that overall housing needs have been under-estimated as a consequence. Page 53 of the Southwark Local Plan refers to this tension.

We consider that the Southwark Local Plan should reflect the new London Plan policy H3 whereby three bedrooms of student housing in non-self contained schemes should equate to one unit of C3 conventional housing.

P62: Energy

The policy is unsound because it is unjustified and ineffective.

We are not clear what is meant by a “100% on 2013 Building Regulations Part L”. Is this a 100% improvement on current Part L?

Our ref: J037902

Your ref:

New Southwark Plan
Planning Policy
5th Floor
Southwark Council
PO Box 64529
London
SE1P 5LX

27 February 2018

Dear Sirs

Representation to the Consultations on New Southwark Plan Proposed Submission Version (December 2017)

On behalf of our client, Dolphin Living Ltd, who has land interests in the London Borough of Southwark and, in particular, within the area of Parkhouse Street, GL Hearn make the following representations in regard to the New Southwark Plan (Proposed Submission Version – December 2017).

Dolphin Living is the housing delivery arm of Dolphin Square Charitable Foundation, an independent charity. Their primary objective is to provide high quality, affordable rental homes for Working Londoners. Their target is to deliver over 1,000 homes by 2020 and they currently have a total of some 800 homes built or in the development pipeline.

(i) Site Allocation NSP23: Burgess Business Park

Dolphin Living Ltd strongly supports the principles of proposed site allocation, particularly the transition to a mixed use neighbourhood, which incorporates residential uses (Class C3).

In respect of the re-provision of employment floor space, we would suggest including Class B1 (b&c) as an acceptable use for the following reasons:

- Class B1 (b&c) are appropriate industrial uses within a residential areas and therefore aligns with the Council's aspirations to create mixed use neighbourhoods;
- It would take into consideration the constrained nature of smaller sites within the allocation where it may not be practical to provide uses falling within Class B2 and B8; and
- Existing uses within Burgess Business Park may fall within Class B1 and therefore the proposed alteration below would make for a reasonable approach to re-providing existing uses.

Support should also be provided (within the supporting text of the site allocation) to provide scope for alternative employment generating uses, or uses which deliver other planning benefits where these are aligned with other Development Plan objectives.

(ii) Draft Policy P4: Private Rented Homes

Dolphin Living Ltd welcomes the inclusion of Draft Policy P4 which provides a useful policy for the burgeoning 'Build to Rent' sector. However, aspects of the policy are at odds with the current GLA guidance

and emerging policy. Furthermore, our client has specific concerns in relation to the viability and deliverability of the policy as currently drafted.

The GLA has provided significant policy guidance through the Affordable Housing and Viability Supplementary Planning Guidance (AHV SPG). More recently, the Draft New London Plan (DNLP) 2018 also provides draft policy guidance on this topic (refer to Policy H13).

Our comments on the wording of the proposed conditions are as follows:

- The 100 unit threshold relating to the application of the policy appears to be somewhat arbitrary and does not reflect current guidance and emerging policy from the GLA which applies a threshold of at least 50 units. We have suggested the wording be amended, as set out below, to introduce a margin of flexibility for schemes which fall just short of the proposed threshold;
- AHV SPG (Para 4.25) states that where a developer identifies a specific local need, a wider mix of discounted market rent products may be provided. This degree of flexibility should be applied to the supporting text of the Draft Policy P4. The London Plan suggestion is more appropriate i.e. 30% LLR and the rest a mix DMR below 80% of MR;
- Providing the same design standards as build for sale is considered to be too rigid and may stifle innovation in terms of providing alternative approaches to a new form of tenure which is recognised in the emerging GLA policy and guidance.
- 30 year covenant is not at odds with the draft London Plan which proposes 15 year covenants.

I hope that you find these representations constructive. Please do not hesitate to contact the undersigned should you require any further clarification.

Yours sincerely

GL Hearn on behalf of Dolphin Living Ltd

████████████████████

Cc. ██████████ (Dolphin Living Ltd)

Enc. New Southwark Plan Proposed Submission Version representations form

Part A: Contact details

If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in the next section.

1: Personal details

Title:	<input type="text" value=""/>
First Name:	<input type="text" value=""/>
Last Name:	<input type="text" value=""/>
Organisation (Where relevant):	<input type="text" value="Dolphin Living Ltd"/>
Position (Where relevant):	<input type="text" value=""/>
Address line 1:	<input type="text" value=""/>
Address line 2:	<input type="text" value=""/>
Address line 3:	<input type="text" value=""/>
Postcode:	<input type="text" value=""/>
Email:	<input type="text" value=""/>
Telephone:	<input type="text" value=""/>

2. Agents details (if applicable)

Title:	<input type="text" value=""/>
First Name:	<input type="text" value=""/>
Last Name:	<input type="text" value=""/>
Organisation:	<input type="text" value="GL Hearn"/>
Position:	<input type="text" value=""/>
Address line 1:	<input type="text" value=""/>
Address line 2:	<input type="text" value=""/>
Address line 3:	<input type="text" value=""/>
Postcode:	<input type="text" value=""/>
Email:	<input type="text" value=""/>
Telephone:	<input type="text" value=""/>

Part B: Representation

Please select **one** policy per form to select which part of the plan you wish to make a representation on. The one option you select should be the item you should be commenting on in the subsequent boxes below. If you want to comment on more than one part of the plan, please submit part B again.

1. To which part of the New Southwark Plan does this representation relate to?

Implementation policy:	<input type="text"/>
Development Management policy:	<input type="text" value="P4"/>
Area Vision:	<input type="text"/>
Site Allocation:	<input type="text" value="NSP23"/>
Proposal Map:	<input type="text"/>
Other:	<input type="text"/>

2. Do you consider the document to be legally compliant in accordance with the Town and Country Planning (Local Planning) (England) Amendment Regulations 2012?

Yes

No

3. Do you consider that the New Southwark Plan is Sound?

Yes

No

4. Do you consider that the New Southwark Plan is unsound because it is not?

Effective

Justified

Consistent with national policy and the London Plan

Positively prepared

5. Please give details of why you consider the New Southwark Plan not to be legally compliant or unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the New Southwark Plan, please also use this box to set out your comments.

Please refer to Cover Letter prepared by GL Hearn dated 27.02.18

6. Please set out what change(s) you consider necessary to make the New Southwark Plan legally compliant or sound. You will need to say why this change will make the New Southwark Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible

Please refer to Cover Letter prepared by GL Hearn dated 27.02.18

Part D: Public Examination (required)

If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

- No, I do not wish to participate at the oral examination
- Yes, I wish to participate at the oral examination

It is vital that your contact details are submitted correctly to ensure that you can be contacted if you wish to participate in the public examination. Please tick the checkbox to confirm that the details which have been provided are correct.

- I confirm that all details provided are correct

Part E: Equalities monitoring

Equality and engagement with our diverse communities is central to the day to day delivery of our Southwark Council Services. To deliver on our commitment to a fairer future, we need to collect some equality information about you. This also forms part of our legal responsibilities under the Public Sector Equality Duty of the Equality Act (2010).

We would therefore appreciate it if you could spend a few minutes filling in the details below. This information helps us to measure and analyse how well we are engaging with all those who live and work in the borough. Please do remember that whilst this information is very useful for our work, you are not obliged to answer or complete any or all of this information. Southwark Council is the data controller for the purposes of the Data Protection act.

From: Donna Turnbull [REDACTED]
Sent: 26 February 2018 16:33
To: planningpolicy
Subject: New Southwark Plan representation

Follow Up Flag: Follow up
Flag Status: Flagged

Donna Turnbull
 [REDACTED]

I do not wish to appear at public hearing / oral examination

IP6 Statement of Community Involvement (SCI).

The new Southwark Plan is not sound on the basis that the SCI has not been positively prepared. There are three elements to this assertion:

- The SCI is not visible or integrated into the plan
- The consultation approach in the development of the plan has not engaged the local voluntary and community sectors effectively.
- The SCI itself is outdated, in need of urgent review and so not fit for purpose.

P1 AFFORDABLE HOMES

This policy is unsound because 35% affordable housing does not meet housing need in Southwark. The Council say the need is 48%, but then say 92% of households in Southwark have an income which requires some form of affordable housing. This is because the threshold to qualify for affordable housing is set at a household income of £90,000 which renders need and affordability meaningless. The policy is not 35% of all new housing but 35% of developments of 11 or more homes. The policy fails to provide information on what % of total new build will be affordable, but the small sites allocation of 800 homes per year (see draft London Plan 2017) suggests the real policy figure will be under 30%. The policy requirement of 25% social rented is subject to the same caveat as above, well under the stated need for 33% of all new housing as social rented.

P3 PROTECTION OF EXISTING HOMES

The policy is unsound because it does not consider the key planning objectives of a) retaining the existing stock of affordable/ social rented housing and b) bringing vacant properties into use, where possible as social rented housing. It is therefore inconsistent with current London Plan Policy 3.14 and draft London Plan 2017 Policy H10. Within the plan, there is inconsistency between this policy and SP2 which emphasises giving every community the opportunity to get their voices heard. There is huge disquiet across the Borough with the policy of estate demolitions, but these voices are not being heard or responded to.

To make the policy sound, Southwark needs to make use of all the tools that are available to protect and increase social rented housing across the Borough. These should include:

- Independent analysis of all estate regeneration options, including refurbishment, with a binding ballot of tenants and leaseholders to decide what regeneration programme goes forward,
- A social impact assessment so that social, health and well-being indicators are incorporated into decision making around regeneration schemes,

- Any replacement of social rented housing should be carried out on the basis of like for like in terms of tenure, rental cost and size

P4 PRIVATE RENTED HOMES

It is unsound to apply the 35% affordable housing requirement differently to private rented homes. In Policy P4, affordable housing only applies to schemes providing more than 100 homes and there is the option to provide only 12% of homes at social rent equivalent and 23% as intermediate homes (reversing the proportion in Policy P1). Consideration of actual planning applications shows that social rent equivalent schemes can be £160, £175 and £190 for 1,2 and 3 bed homes respectively compared with target social rents of £97, £111, and £ 124. Social rent equivalents would also only have 3 year tenancies. The introduction in Policy P4 of a new rent product called discount market rent further confuses and dilutes the need for genuine social rent homes. No evidence is presented about how large scale private rented sector developments meet housing needs when their offer is inferior to conventional housing schemes.

To make this policy sound, the affordable housing offer provided by private rented schemes must be the same as required under Policy P1. The entire Policy P4 must apply to all new private rented housing so that improvements in conditions for private renters, such as longer term tenancies, benefit everyone.

P14 TALL BUILDINGS

This policy is not justified as it:

- Involves a significant policy change on tall buildings with no new evidence to support the change (last research paper was March 2010).
- The policy change renders all Area Visions meaningless as locations proposed for Tall Buildings are no longer identified.
- Fails to take account of responses identified in the Consultation Report (pages 31-32) that stated specific locations for tall buildings needed defining in the NSP.

This policy is not sound because it is not consistent with:

1. The Mayor's Current London Plan (2016), through failure to comply with:

- "Tall and large buildings should be part of a plan-led approach to changing or developing an area by the identification of appropriate, sensitive and inappropriate locations".
- "Boroughs should work with the Mayor to consider which areas are appropriate, sensitive or inappropriate for tall and large buildings and identify them in their Local Development Frameworks".

2. The Mayor's New Draft London Plan, through failure to comply with:

- "Development Plans should define what is considered a tall building, the height of which may vary in different parts of London".
- "Tall buildings should be part of a plan-led approach to changing or developing an area. Boroughs should identify on maps in development plans the locations where tall buildings will be an appropriate form of development in principle and should indicate the general building heights that would be appropriate".
- "Ensure appropriate management and maintenance arrangements are in place for the public realm, which maximise public access and minimise rules governing the space to those required for its safe management in accordance with the Public London Charter".

3. National Planning Policy Framework, through failure to comply with: the need for "early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses" so that Local Plans reflect a "collective vision".

This policy is not positively prepared as some aspects of the policy are vague or unclear:

- Not setting out the approach or criteria to determine planning applications. 2 P14 Tall Buildings Plan pages 42 & 43 Not Effective
- Not stating there has been a significant policy change which means tall buildings may now be permitted anywhere in the borough.
- Not determining what is “a point of townscape significance” or what is “proportionate” in making decisions.
- Not defining what a tall building is and not clarifying what “significantly taller than their surroundings” means.
- Not explaining what “new publicly accessible space at the top of the building” refers to.

This policy is not effective as it

- Does not demonstrate how it will measure the increase in the activities and life opportunities on offer for nearby residents.
- Is unclear how it can deliver the identified net increase of affordable housing by 799 homes per year.
- Gives insufficient consideration to other more effective ways of combatting the housing need without introducing negative effects of tall buildings.

P16 LISTED BUILDINGS AND STRUCTURES

This policy is not effective because it does not ensure that the relevant specialist advice on the future viable use of the buildings and structures is available before a planning decision is made. Failure to assess damage to listed buildings at the right time and consult relevant stakeholders and subject specialists will result in important heritage loss. We have had a significant recent example of this in 2017. Harker’s Studio in Walworth SE17 – a specially designed building for painting theatre scenery Grade 2 listed - was given permission to be converted to residential, retaining a few of the features. The Council’s decision was taken on the basis of an opinion from an organisation that had no expertise in the viability of the studio in the future. After permission was granted, professional actors and scenery makers and users campaigned against the decision on the grounds that the building was indeed viable and needed in London, as such spaces were increasingly scarce. It then became obvious that the right specialists had not been asked for an opinion. Irreparable harm has now been done not only to the heritage asset but also to a viable structure of importance to the theatre industry. Clearly the consultation process in this case was inadequate. The policy needs to have an addition to avoid this happening again.

P56 OPENSACES

Policy 56 is unsound because it is inconsistent with the draft London Plan and internally inconsistent. It is inconsistent with the London Plan because the London Plan’s sections on green and open space emphasise the need for the protection and extension of green and open space:

- Policy G3 Metropolitan Open Land states that: The extension of MOL [Metropolitan Open Land] designations should be supported where appropriate.
- Policy G4 Local green and open space states: The creation of new areas of publicly-accessible green and open space should be supported, especially in areas of deficiency in access to public open space.

Boroughs should undertake a needs assessment of local green and open space to inform policy. Assessments should identify areas of public green and open space deficiency, using the categorisation set out in Table 8.1 as a benchmark for all the different types required.

Draft Southwark Plan Internally inconsistent Policy P56 Open Space only refers to restrictions on development on open space, there is no policy on extending open space. Furthermore, NSP Policy 56 is inconsistent with the site allocations section of the NSP. In the reasons for the policy (p82), it is stated that, “Open spaces are afforded protection according to their importance in accordance with MOL, BOL and

OOS designations. Regeneration provides the opportunity to provide improved open space by developing ancillary facilities or, on OOS, replacing existing open spaces with greater or better quality space.” However, few site allocations mention green and open space or set out the amount of space to be allocated for this use.

Policy 56 is unsound because it has not been positively prepared, taking account of the greenspace needs of current and future residents. The amount of new open space provided for in the site allocations is totally inadequate for the scale of development envisaged. For example, in Peckham, the total area for development is 81,000m², including commercial, industrial and residential uses. No provision is made for green or open spaces. Only two of the site allocations (NSP75 and NSP78) refer to improvements to the public realm; the amount of space to be allocated for this use is not specified. In the case of Bankside and Borough, where the Area Vision proposes to, “Increase or improve the number and quality of local open spaces, squares and public realm”, only 5.2% of the total site allocations is destined for the provision of open or greenspace (3,151m²). There is no evidence that the Council has calculated the amount of new greenspace needed to provide adequately for the growing population, taking account of requirements of different ages within the population. If mentioned at all, green and open space seemed to be squeezed into new developments, often in inappropriate locations (e.g. children’s play areas on roof areas of residential developments.)

The Council should show the numbers of new residents planned in each area and the amount of green and open space provision, both in terms of area to be provided (in m²) and the nature of the provision. Some area plans have numbers of housing units to be provided per site. This information is not in the NSP site allocations. The Council should provide this information in a transparent manner and keep an on-going record of numbers of housing units created, to ensure that adequate open greenspace is provided in relation to new development.

The NSP is unsound because it is ineffective in addressing health and wellbeing needs of its residents. Green and open space is valued in its own right and as a factor contributing to the health and wellbeing of the borough’s residents. However, the NSP fails to provide significant additional green and open space to meet the 3 needs of existing residents in areas acknowledged to be in deficit. Where areas have a green space deficit (as set out in Southwark’s Open Space Strategy) this should be identified in the relevant Area Vision along with a commitment to address the deficit.

The NSP does not set out how it will monitor the provision of new green and open space as part of developments to ensure that this keeps pace with the numbers of new residents coming into the borough to occupy the housing being built. This means that there is likely to be insufficient green infrastructure to enable people to exercise and lead healthy lives.

From: Donna Turnbull [REDACTED]
Sent: 26 February 2018 16:33
To: planningpolicy
Subject: New Southwark Plan representation

Follow Up Flag: Follow up
Flag Status: Flagged

Donna Turnbull
 [REDACTED]

I do not wish to appear at public hearing / oral examination

IP6 Statement of Community Involvement (SCI).

The new Southwark Plan is not sound on the basis that the SCI has not been positively prepared. There are three elements to this assertion:

- The SCI is not visible or integrated into the plan
- The consultation approach in the development of the plan has not engaged the local voluntary and community sectors effectively.
- The SCI itself is outdated, in need of urgent review and so not fit for purpose.

P1 AFFORDABLE HOMES

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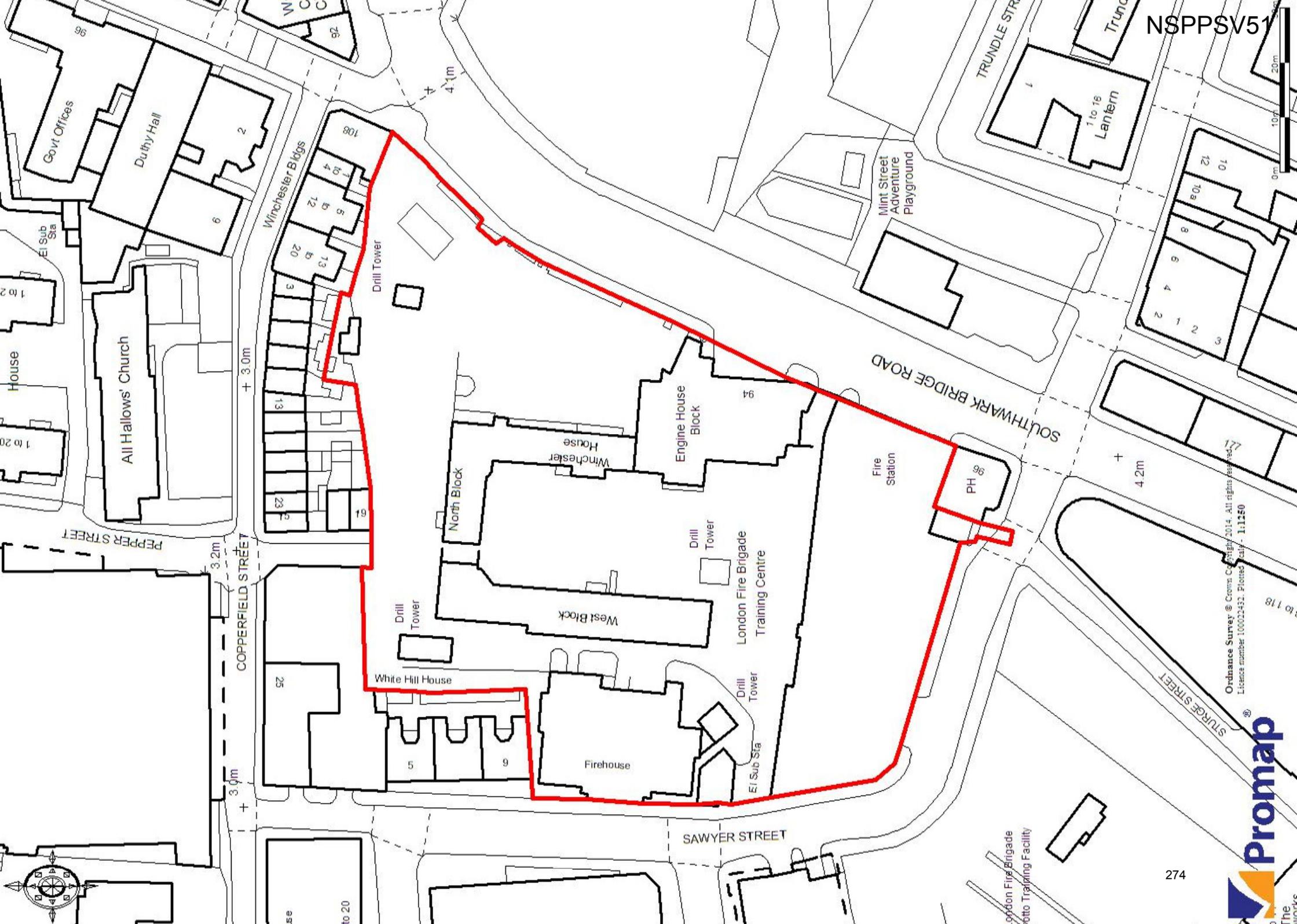
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Date 13th June 2017

Your Reference

Our Reference MB/AO/30318

CITY OFFICE

80 Cannon Street
 London EC4N 6HL
 www.dronwright.co.uk

T: [REDACTED]
 F: [REDACTED]

By Email (planningpolicy@southwark.gov.uk) And By Post

FREEPOST SE1919/14
 New Southwark Plan
 Planning Policy
 Chief Executive's Department
 London SE1P 5EX

Dear Sirs

New Southwark Plan - Area Visions and Site Allocations preferred option

We write in order to make comment on the above named document. Please note that we act on behalf of the London Fire And Emergency Planning Authority (LFEPA) and that this representation is made on their behalf. For your information the following LFEPA sites are within the borough:-

- Dockhead Fire Station – 8 Wolseley Street, SE1 2BP.
- Old Kent Road Fire Station – 405 Old Kent Road, SE1 5JH.
- Peckham Fire Station – 78/80 Peckham Road, SE5 8PR.
- Former Southwark Fire Station and Training Centre – 94 Southwark Bridge Road, SE1 0EG.

We note that the former Southwark fire station and training centre has been included as an allocated site (NSP04) within the Bankside and The Borough Area. Our client is generally supportive of this site being included as a potential development site. However, we request that a number of amendments are made to the current drafting, as follows:-

- 1.0** The photograph does not show the correct property and instead displays 169 Union Street, SE1, which is the current headquarters building occupied by our client under a leasehold agreement. This therefore needs to be amended accordingly.

Cont/..

Regulated by RICS

Switchboard: [REDACTED]
 A list of partners is on display at the Firm's offices.

WEST END OFFICE
 54 Conduit Street
 London W1B 3YY
 F: [REDACTED]



- 2.0** The site area is inconsistently listed. The site totals 0.88 hectares (2.17 acres) or 8,800 square metres, which is the figure that should be included under the 'Site Area' and 'Existing Uses' sections.
- 3.0** It is incorrect to list the site's existing use as a 'fire station complex'. The fire station and training centre (which has assumed sui generis and D1 use) closed on 9th January 2014. This section should therefore clearly state that the site is vacant and was formerly an operational fire station and training centre.
- 4.0** The site boundary is incorrect and should include the former firehouse, situated on the Sawyer Street boundary of the site. Please find attached a copy of the correct boundary of the site, for inclusion within the document.
- 5.0** We are concerned that the information included under the Site Vision, Indicative Development Capacity, Required Uses, and Design and Accessibility Guidance sections follows the current planning application that has been submitted in relation to the site, in respect of which a decision has not yet been made. Although our client is fully supportive of the application, there is concern that if permission is not granted, the current wording under these sections is extremely restrictive as to what uses and volumes of development can be accommodated on a site of this size, particularly taking into account that Other Acceptable Uses are listed as 'None'. We therefore request that these sections are re-drafted accordingly and can provide some suggested wording, if required.

We trust that the above is clear and confirm that we do wish to be notified of all progress relating to this matter, at the address above. In the meantime, please do not hesitate to contact Mrs Mel Bourne should you require any further information, or further clarification of the points raised above.

Yours faithfully

Dron & Wright

Encl.

[Redacted]
[Redacted]
United Kingdom

T [Redacted]
F [Redacted]

www.danielwatney.co.uk

Date
27 February 2018

Southwark Council
Planning and Development
5th Floor
PO Box 64529
London
SE1P 5LX

By Email Only

Daniel Watney LLP is a
limited liability partnership
regulated by RICS.

Registered in England.
Registered number OC356464.
Registered office as address.

Dear Sirs

New Southwark Plan: Proposed Submission Version

This representation has been prepared on behalf of The Dulwich Estate (hereafter 'the Estate').

As a significant landowner in the southern part of the Borough, including many homes, schools, offices, retail units, leisure and community uses and open space, the Estate is heavily invested in the future direction of planning and regeneration, and wants to ensure that the Local Plan promotes investment and growth, and creates places where people want to live, shop, work and play.

The Estate would like to see the Plan taking a more reflexive approach to existing land uses as currently proposed, and to ensure there are not unnecessary burdens on development and redevelopment. The risk with a number of policies as currently drafted is that these stymie or at worst prevent investment to the detriment of providing new homes, offices, shops, community and education uses and leisure facilities. As a Charity, the Estate under statute has a fiduciary duty to appropriately manage and maximise the value of its property assets, and is obliged to use reasonable endeavours to pursue activities (development or otherwise) which generate the greatest return. If the constraints of planning policy present too greater risk or insufficient return due to financial or other obligations to pursue development, then their awards to their beneficiaries are reduced. For completeness, the Estate's beneficiaries are as follows:

- Christ's Chapel of God's Gift at Dulwich Charity;
- The Dulwich Almshouse Charity;
- Alleyn's School;
- Dulwich College;
- James Allen's Girls' School;
- Central Foundation Schools of London;
- St Olave's & St Saviour's Schools Foundation.

The beneficiaries include state and private schools including supporting scholarship and bursary schemes, the almshouse charity (which provides homes to elderly people in housing need, and whom would otherwise form part of Southwark Council's housing list) and organisations that preserve historic buildings and spaces that define the character and appearance of this part of the Borough. It is therefore essential that the Estate can grow its income via its property portfolio to increase awards to its beneficiaries, ultimately to the benefit of residents and visitors to Southwark.

The Estate also has a central role in placemaking, and wants to work with Southwark Council to enhance the neighbourhoods and retail centres of Dulwich to the benefit of local businesses,

residents and visitors. Intrinsic to this is providing high quality and flexible employment floorspace, creating vibrant high streets with a mix of uses which can respond to market requirements, residential accommodation, particularly to upper floors, and a generous and accessible public realm. The Estate would like to see suitable policies in the New Southwark Plan to support this vision.

The following representation is structured by topic as follows:

- Housing;
- Business floorspace;
- Retail;
- Open Space.

Housing

Housing Supply

The draft New Southwark Plan document does not set out an overall housing target. In draft Policy SP1, there is a reference to building 11,000 council homes however there is no reference in this policy, or subsequent policies in the plan, as to the overall target. There is instead a reference to having sufficient land to meet the annual target of 2,736 units as set out in the 2015 London Plan within the supporting text to the housing policies.

We consider that this approach is not correct by not being consistent with the National Planning Policy Framework (NPPF) nor the London Plan, and is not sound by virtue of not being positively prepared nor justified.

The NPPF is clear that local planning authorities should use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area.

By relying upon housing targets set by the 2015 London Plan and in the absence of updating their own evidence base (the most up to date Strategic Housing Market Assessment forming part of Southwark's evidence base being undertaken in 2014 and encompassing the South East London area), the housing target eluded to (but not set out in emerging policy) is not considered to be robust. The London Plan is clear at paragraph 3.19 that Boroughs should use their housing supply targets as minima augmented with additional housing capacity to reduce the gap between local and strategic need and supply. Policy 3.3 of the London Plan confirms this, stating that Boroughs should seek to meet and exceed annual average housing targets.

The New Southwark Plan is not in accordance with this by failing to have an up to date evidence base and not seeking to exceed average annual targets.

Furthermore, this does not take into account Southwark Council's five year housing land supply position which, at present, is not complete. We would refer to Appendix I to a report by Emery Planning which illustrates Southwark Council's current position.

Additional capacity is demonstrably required from previously unidentified opportunities. These representations include fifteen potential development sites (see Appendix II) which could contribute *inter alia* towards this much needed housing supply. These sources of additional housing include small infill sites, building above shops and bringing forward larger, high quality, mixed-use developments.

This approach would also align with the emerging London Plan's promotion of developing small sites. It is proposed that Southwark Council should supply 800 units **per annum** from small sites (i.e. < 0.25 ha). The NSP does not at present make any reference to this requirement, which should form part of a single, clear housing policy which sets out the housing targets and where this supply will be found. The majority of the sites identified in Appendix II fall below the 0.25 ha threshold and thus should be recognised for the opportunity to deliver, collectively, significant additional homes alongside other land uses.

The additional sites identified within these representations for inclusion in the emerging Development Plan fall into identified Dulwich, East Dulwich and Herne Hill areas, and therefore could be included as part of the area vision policies as new site allocations. A defining feature of these areas which set them apart from the north of the Borough is their lower density, suburban character. There are significant areas of formal and informal unused open space, both occupied and vacant generous commercial plots, and larger residential properties with generous rear gardens.

The relevant emerging policies (AV.06, AV.07 and AV.09) describes growth opportunities within each area as follows:

“...Dulwich/East Dulwich/Herne Hill has the potential to contribute towards meeting Southwark’s housing need. Most new homes will be built on infill sites.”

The majority of the additional sites identified comprise infill sites of between 0-5 units in accordance with the Area Vision. The proposed development capacity of each site has however had regard to their characteristics as infill sites, the surrounding context and guidance where relevant within the Dulwich Supplementary Planning Guidance (including policies relating to Backland Development).

As such, it is considered that the proposed sites can be developed without adverse effects on the character and appearance of the above areas including statutory designations, for example Conservation Areas and in line with the Area Visions.

Please refer to Appendix II for pro forma of potential site allocations that should be acknowledged and included as part of the NSP as additional sources of primarily housing supply. We would welcome the opportunity to discuss with Southwark Council as to how these sites could be allocated as additional housing supply.

Affordable Housing

The draft NSP describes at Policy P1 that a development that creates 10 homes or less must provide the maximum viable amount towards the delivery of new homes.

Firstly, the policy should clarify whether financial contributions or units would be sought on small sites. Whilst the supporting text suggests the former, the policy wording is ambiguous. We would recommend that the policy wording is explicit on the form of contribution sought by smaller sites to ensure that applicant’s understand their obligations at the outset.

More fundamentally however, the Estate is concerned that this policy is not legal on the basis that it does not accord with the Written Ministerial Statement of November 2014 (and its correct application following various legal challenges). The WMS is clear that *“Due to the disproportionate burden of developer contributions on small scale developers, for sites of 10-units or less, and which have a maximum combined gross floorspace of 1,000 square metres, affordable housing and tariff style contributions should not be sought.”* The Estate is also concerned that the policy is not justified as there is no evidence base (viability or otherwise) to support the requirement for schemes under 10 units to make a contribution.

The Estate is concerned that a number of the infill sites identified in Appendix II, alongside other future opportunities, could not be delivered if they are overly burdened by financial or other contributions. The Estate is bound to pursue development or other activities that secure best value. In the event that financial or other obligations render a development unviable, for example leaving ‘as is’, potentially with refurbishment, could lead to sites being under developed and opportunities for additional housing to upper floors for example, or to a rear yard area, being missed. Furthermore, very often these small sites (such as upper floors) create smaller apartments that widen housing choice, which is vital in areas such as Dulwich where there is a predominance of larger units.

The Estate recommends that the requirement for smaller sites to provide the maximum viable amount is removed to ensure that the vital contribution these sites can make to strategic planning objectives is not lost.

The Estate considers that part three of Policy P1 requires clarification as to how Southwark Council would deem a site or phase of a development to be artificially subdivided. The Estate is unique in that its portfolio is geographically concentrated and as such, proximity and often adjacency of property assets is unavoidable. As such, it is inevitable that, on occasion, adjacent sites may come forward for development at different times due to external factors, as opposed to any desire to circumnavigate affordable housing liability. The High Court has established three tests which, whilst not determinative, should broadly inform any assessment of circumnavigation:

- Site ownership;
- Whether the site comprises a single planning unit;
- The nature of the development proposed.

As currently worded, the policy does not acknowledge that there are external factors that can inhibit delivery of a site or part of a site, including (but not limited to): ownership and leasehold implications, funding and site conditions. Failure to recognise these and instead suggest that there is an attempt to circumnavigate an affordable housing contribution could lead delays and possibly no proposals of otherwise acceptable developments that could deliver homes, offices, shops and community uses. We would recommend that this part of the policy is removed or qualified to set out the criteria that must be demonstrated as part of any relevant planning application to demonstrate how the policy has been taken into account, for example information on adjacent land ownership.

Elderly Housing

Emerging Policy P5 addresses housing for older people, however focuses on the quality of the accommodation as opposed to its overall provision. The Estate considers that this policy is not positively prepared, as it fails to recognise the acute and specific need for elderly persons housing in Southwark, and specifically to the south of the Borough. This is despite an evidence base which clearly sets out the crisis of housing for the elderly.

Southwark's Housing Strategy to 2043 identifies that the number of people aged 65 and over is projected to increase by 63% (or 14,000 people) between 2012-2032, the highest growth in the south east sub-region. This is echoed by the South East London Strategic Housing Market Assessment from 2014, which identifies aging as the main feature of future population change in this area. The 2014 SHMA describes that Southwark has a below average supply of elderly-focused accommodation.

In terms of preferences, Southwark's Housing Requirements Study from 2008 indicates that after bungalows, sheltered housing or local authority / housing association owned, elderly housing block are most likely to be considered by respondents as they grow older. Living with family or residential care are the least considered options. Key housing data published by Southwark in 2012/13 indicates that there are currently just 1,146 sheltered housing units in Southwark. With an anticipated increase of 14,000 over 65s by 2032, additional sheltered housing is urgently required to accommodate this growth. To secure a good quality of life into older age, it is clear that these preferred types of accommodation must be considered to meet this growing need.

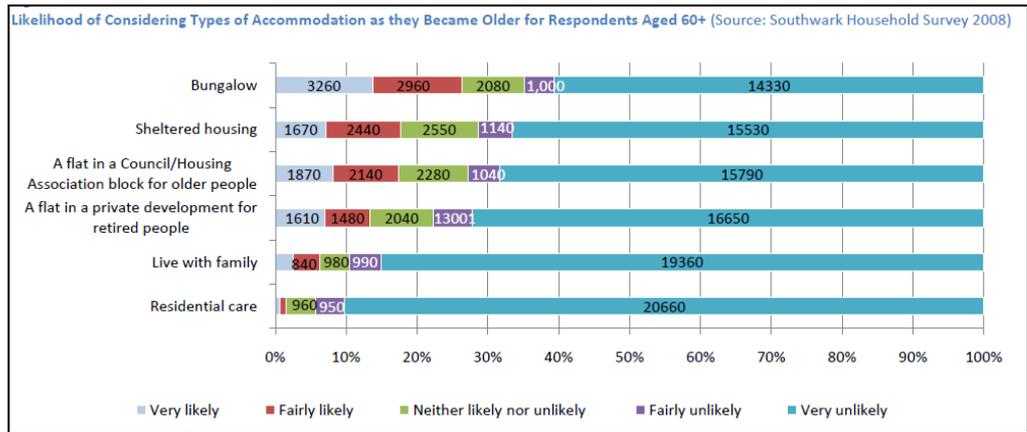


Figure 1: Older People’s Housing Preferences

Southwark has published the ‘Older people’s housing delivery plan: Southwark Housing Strategy 2009 -2016’ which sets out how this need will be met. The Strategy identifies a growing demand for sheltered housing, with a void rate of just 2.85% in local authority sheltered housing.

The Strategy also sets out that Southwark faces significant cuts in funding from central Government. As a result, the budget for social care needs to achieve savings to the order of over £8 million.

This places a significant burden on Southwark Council to provide this urgently needed sheltered housing for its growing older population. This acute housing need must be addressed by the NSP if it is to plan for sustainable development and ultimately be found sound. It follows that intervention from the private sector and third party organisations is therefore essential if this growing demand can both be met and reconciled with clear preferences (i.e. sheltered housing) to ensure emotional and physical wellbeing.

The Dulwich Almshouse Charity is one of the Estate’s beneficiaries, and provides sheltered housing for elderly persons in need, and whom otherwise would form part of Southwark Council’s housing list. The DAC’s existing almshouses are incompatible with modern occupation, however due to their statutory listing, are not capable of a suitable conversion. The DAC are therefore looking for a new building opportunity to provide this urgently needed, high quality accommodation. As such, the Estate would like to see planning policies that reinforce the level of need by setting a minimum annual target such as those for affordable housing, which recognise the needs of this priority group.

Offices and Business

Emerging policy P26 deals with offices and business development. The Estate supports the intention of policy to support office and business development in the CAZ, town centres and opportunity areas in particular, in recognition of their role as commercial hubs. The Estate is concerned however that the proposed two year marketing period required in order to justify a loss of office and business floorspace is unnecessarily restrictive and places an inequitable financial burden on charity landowners in particular, such as the Estate, whose beneficiaries rely upon income from the property portfolio and whose other adjoining tenants are impacted whilst the property remains vacant when a possible alternative user/occupier could be readily available to take on the premises.

The impact of this policy would be to enforce long term voids in the Estate’s property portfolio, thereby directly impacting on the Estate’s adjoining tenants.

We do not consider that this approach is in accordance with the NPPF and thus is unsound. Paragraph 51 of the NPPF recommends that Local Planning Authorities “*should normally approve planning applications for change to residential use and any associated development from commercial buildings (currently in the B use classes) where there is an identified need for*

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additional housing in that area, provided that there are not strong economic reasons why such development would be inappropriate.”

Evidence of continued unsuccessful marketing of vacant floorspace as required by policy should not comprise the sole indicator of a ‘strong economic reason’ why such a use should be retained; other marketing evidence could include achieved rental values (compared to nearby properties), the impact a vacant unit is having on adjoining retailers and their business and other periods of vacancy. It is a Core planning principle of the NPPF that *“Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities”*. Additional forms of evidence would help to indicate whether the existing commercial floorspace is operating efficiently and as the most sustainable use of the land, and whether an alternative land use would be more beneficial to the immediate area and wider Borough targets.

Furthermore, we consider that additional wording to the policies that would widen the opportunities to release employment floorspace would enable other objectives of the Plan to be realised.

Whilst we acknowledge that the NPPF identifies the value in allocating sites and designating areas, this is in order to promote development and flexible use of land. We do not consider therefore that the strict protection of employment floorspace is in conformity with the principles and the policies within the Framework and is thus unsound.

The NPPF makes a number of references to ensuring flexibility. In describing the presumption of sustainable development, it recommends that Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change unless (i) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or (ii) specific policies in the Framework indicate development should be restricted. Paragraph 22 states, *“Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for an allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.”*

The impact of the proposed policy is therefore to restrict the future development of existing employment sites, thereby neglecting the presumption in favour of sustainable development and the Core planning principle which requires the planning system to proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. We consider that this conflict with national policy should be remedied by the inclusion of policy wording which seeks to acknowledge the NPPF’s requirement for flexibility and the avoidance of long term land allocations and subsequently outlines a process by which designations can be reviewed or circumstances under which the introduction of alternative land uses be considered which is not based solely upon continuous marketing of vacant floorspace.

A more constructive approach would be to allow ‘meanwhile’ uses whilst marketing is ongoing. This would allow the Estate to continue to generate an income, offer short term accommodation to occupiers who require premises without the obligations of lengthy and costly lease terms (this is likely to include start up and independent organisations), and ensure that the accommodation is in beneficial use, potentially providing vital local services and not impacting upon other adjoining occupiers.

Small and Independent Businesses

Emerging Policy P28 seeks to retain small and independent businesses. Where existing small and independent businesses are at risk of displacement from a development there should be full consideration of the feasibility of providing affordable and suitable space for existing occupiers in the completed development.

The Estate recognises the importance of small and independent businesses. In their management of their portfolio, they champion small and independent businesses and actively

manage their retail centres and commercial properties to uphold the vibrant and individual character of Dulwich.

The Estate is concerned however that this policy fails to recognise the potential scenario where a small and independent businesses intend to relocate elsewhere or to cease operations entirely, outside of the Estate's control and / or apart from their development intentions. The policy does not capture this scenario and should be worded to reflect that this only applies where the occupier intends to remain, and indeed is capable of remaining. The latter is important to ensure that landowners are not prejudiced by policy that requires the retention of an occupier or business who is unable or unwilling to meet requisite rent levels, which may increase if the overall quality of a unit is improved as part of development. As a Charity, we reiterate that the Estate is obliged to achieve best value from its property assets as well as having consideration to improve the quality and vibrancy of the retail centres.

The NPPF is clear that policies should be flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances. The proposed policy is not in accordance with the NPPF by adopting a blanket approach to the retention of small and independent businesses via planning policy. We strongly advocate a more holistic approach which takes into account business rates and local business programmes and initiatives that maintain and enhance the supply of small and independent businesses, outside of the planning regime.

The Fact Box accompanying this policy is ineffective and is not justified, with no evidence base setting out how the thresholds of business size have been defined. The size and independence of any business is relative; for example holding more than one premises does not mean that a company is not independent, nor does a shop that exceeds 80 sq.m mean that it is not 'small' relative to other organisations. The character of a business cannot be quantified in such simplistic terms, and we would recommend that the Fact Box is removed and replaced with an evidence based set of criteria to establish what sort of organisations this policy applies to.

Access to Employment and Training

Policy P39 requires development that results in a loss of employment floorspace to provide a financial contribution towards training and jobs for local people.

This policy is not justified on the basis that coupled with other emerging policies that seek to impose minimum marketing periods, it is perverse to require a financial contribution when there is a loss of employment floorspace if it has been successfully demonstrated that there is no demand for that floorspace for an employment use. By that point, the site no longer has any value in terms of employment and training and therefore there is no harm to be mitigated (the point of planning obligations) arising from its loss.

The imposition of unnecessary financial burdens would only serve to reduce overall scheme viability, and likely harm the delivery of other public benefits such as affordable housing, workspace, community facilities and public realm improvements associated with a development.

Instead, obligations should be sought from proposed developments where opportunities to support local employment and training are evident, and in line with the NPPF as to when obligations should be sought.

Retail

Small Shops

Emerging Policy P29 requires small shops to be retained in town centres, except where there is no demand for continued use.

The Estate recognises the value of small shops, with the character of Herne Hill, Park Hall Road, Dulwich Village and smaller parades all benefitting from a range of unit sizes and types of occupier which contribute to their character and overall vitality.

The Estate is concerned however that this policy is not effective by failing to define what constitutes a small shop (notwithstanding our earlier concerns that it is not possible to simply quantify a small and / or independent business) nor how a lack of demand can be demonstrated. In the absence of a formal assessment criteria (and not necessarily relying solely on marketing, as we have described in respect of business floorspace), this introduces a high degree of planning risk and constrains effective and commercial management of retail uses.

The NPPF requires planning policies to be positive and to set out policies for the management and growth over the plan period. As currently drafted, this policy does not allow landowners to effectively manage their retail portfolios. The policy should be revised to define 'small shops', and to set out how a lack of demand is to be demonstrated.

Protected Shopping Frontages and Shops Outside Protected Shopping Frontages

Emerging Policy P32 seeks to retain a quantum of Class A1 uses within protected shopping frontages and sets out the circumstances under which a loss of Class A1 use may be justified. This includes a requirement to market the property for Class A1 use for a minimum period of two years.

As per our representations in respect of marketing business floorspace, the Estate is very concerned that this policy would result in damaging voids and cause harm to the overall vitality, viability and performance of designated and non-designated retail areas and the other business' adjoining especially in such times where retail is struggling to compete with online trading.

The imposition of a two year marketing period would result in a vacant retail unit which does not generate any income for the Estate (thus reducing awards to its beneficiaries), nor does it provide any public benefit that an alternative use may secure. In retail contexts in particular, a vacant unit can have a knock on effect of reducing the appeal and success of the overall parade or area. Retailers are typically drawn to vibrant and successful centres, alongside competing occupiers of a similar quality that can attract significant footfall. Conversely, vacant units can indicate a struggling local retail market and are therefore less appealing to incoming retail occupiers. In turn, footfall reduces which makes retail conditions for existing or remaining occupiers more challenging, and potentially unsustainable. The decline of the centre is inevitable.

We would instead recommend that the loss of Class A1 floorspace is not determined solely on marketing evidence, but instead is assessed by taking into account local and wider market conditions, and the economic and public benefits to introducing alternatives uses, for example Class D1 uses that can serve the general public in an as important way as conventional retail uses.

As with business floorspace, a more constructive approach would be to allow 'meanwhile' uses whilst marketing is ongoing. This would allow the Estate to continue to generate an income, offer short term accommodation to occupiers who require premises without the obligations of lengthy and costly lease terms (this is likely to include start up and independent organisations), and ensure that the accommodation is in beneficial use, potentially providing vital local services. It would also avoid the risks of vacancies to the overall health of a designated or non-designated retail area as we describe above.

Open Space

The NSP identifies new open spaces, which includes new 'Other Open Space' designations. Proposed Designation NSP NOS16 refers to no. 62-68 Half Moon Lane, the boundary of which is defined and reproduced in Figure 2 overleaf. Emerging Policy P56 sets out that development to Other Open Space will not be acceptable except where there is re-provision in the immediate area, or the space is shown to be surplus to requirements.

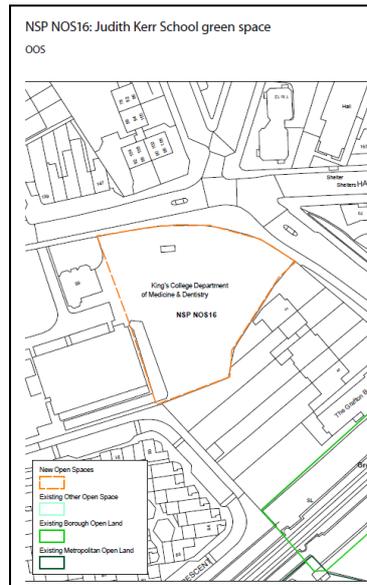


Figure 2: Proposed Designation

Part of this land is now used as playspace by the Judith Kerr Primary School.

The Estate objects to the proposed designation of the Site as Other Open Space as it would constrain the future use of the site by the JKPS or any other party who have a future interest in the site. Furthermore, the designation of the Site cannot be sustained as it does not meet specific criteria set out in national policy and would undermine planning for sustainable development. As such, it does not pass the test of legality.

Planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision. The key point here is the evidence base for the planning policies.

In preparing this representation, alongside adopted national, regional and local planning policy, the NSP and relevant appendices, we have also had regard to the following evidence base documents:

- Open Space Strategy 2010;
- Open Space Strategy 2013 (including Evidence Base report);
- Southwark Housing Strategy to 2043;
- Southwark Housing Requirements Study 2008;
- The Older People’s Housing Delivery Plan: Southwark Housing Strategy 2009 – 2016;
- South East London Strategic Housing Market Assessment 2014; and,
- Key Housing Statistics 2012/13 (latest available).

Paragraph 76 of the NPPF explains that local communities through local and neighbourhood plans should be able to identify for special protection green areas **of particular importance to them**. The National Planning Policy Guidance explains at paragraph 008 that any designation needs to be consistent with local planning for sustainable development and the designation should not be used in a way that undermines this aim of plan making.

A designation can only be made when a plan is being prepared (as is the case) or reviewed, and capable of enduring beyond the end of the plan period. The implication is that such a designation would likely exist in perpetuity.

We therefore consider firstly whether it can be demonstrated that the Site could meet those criteria set out in the NPPF which define the designation process, and secondly whether the designation would be consistent with planning for sustainable development and would not undermine the aim of plan making.

We deal firstly with those criteria which define when a designation can be made.

Criteria for Designation

Paragraph 77 of the NPPF states that the **Local Green Space designation will not be appropriate for most green areas or local space** [own emphasis]. To this end, it sets out three criteria that must be satisfied in order for the designation to be used:

- where the green space is in reasonably close proximity to the community it serves;
- where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and
- where the green area concerned is local in character and is not an extensive tract of land.

It should be recognised that the use of ‘and’ requires that all criteria be satisfied; they are not discrete. We now consider these criteria in turn.

i) Proximity to the community it serves

The first criterion refers to the green space being in reasonable proximity to the community it serves. To assess whether this criterion can be satisfied, firstly it must be clarified in what form the open space has served or will serve the community, which in itself must also be defined.

The Site is private and always has been; no public access has ever been provided to members of the public (nor have members of the public ever used the space without permission). Whilst it is now in use by JKPS, prior to this the site was not accessed for a number of years and before then, by Kings College employees when they were in occupation.

Assessing its proximity to the community is inherently problematic; as described at paragraph 015 of the NPPG, the proximity of a Local Green Space to the community it serves will depend on local circumstances, including why the green area is seen as special, but it must be reasonably close. For example, if public access is a key factor, then the site in question would normally be within easy walking distance of the community. As access is restricted, this does not apply in this case.

ii) Demonstrably special to a local community and holds particular local significance, for example because of its beauty, historic significance, recreational value, tranquillity or richness of its wildlife.

As the site is not publically accessible, it is arguably not a special open space for the local community. The current use of the land associated with the school, whose intake is not based entirely on a local catchment. Therefore whilst the school community benefits from this space, this is not the same as a ‘local’ community, which is reasonably understood as those living in close proximity to the site, attributing particular value to the space that warrants designation.

Whilst not unattractive, the site cannot be described as beautiful, being contained within poor quality fencing and hosting only generic tree species. An independent tree survey has confirmed that the Site contains no Category A trees, with the majority of trees being Category C. The Site does not fall within identified views nor does it form part of an important green chain or similar. The absence of a statutory designation clearly demonstrates this.

The Site has no historic significance, again confirmed by the lack of any statutory or non-statutory designation. The Site does not form part of any particular views of vistas of statutory or non-statutory heritage assets.

The Site is not tranquil in a special or significant way, being surrounded by the highway network and other built development. Furthermore, the restriction on public access would prohibit experiencing that tranquillity that green spaces can offer if sited within a

complementary context (i.e. no highways or dense urban fabric) than those surrounding the Site.

Finally, an ecological survey, including a reptile survey, has confirmed that the Site does not accommodate rich wildlife but rather generic flora and fauna, the habitats on site described as “*widespread and common*”. An independent ecology survey has confirmed that the Site does not fall within or adjacent to any statutory designated areas.

This criterion demonstrably cannot be satisfied. Southwark Council cannot therefore provide clear and robust evidence demonstrating that the Site is both special and holds particular significance to a local community.

iii) Local in character and is not extensive tract of land

The NPPG is clear that there is no minimum size limit for a proposed designation. Therefore, arguably, a relative approach could be adopted and that relative to the density of the immediate built environment and surrounding plot sizes, this is an extensive tract of land. Southwark Council must demonstrate that this is not an extensive tract of land.

Given the Site is not publically accessible there can be no appreciation of any such character and whether or not this is local. Of those parts that are visible, independent surveys have confirmed that the flora and fauna are common and widespread. Again, the lack of any statutory or non-statutory designation supports this position, its heritage and ecological or natural value not being considered significant.

We have placed the onus of evidence on Southwark Council as the NPPF is clear that this designation as Other Open Space will not be suitable for most green spaces. In the determination of Backwell Neighbourhood Plan, Examiner Nigel McGurk refused a local green space designation. Mr McGurk held that “*it is essential that, when allocating Local Green Space, plan-makers can clearly demonstrate that the requirements for its allocation are met in full.*” [own emphasis] Mr McGurk went on: “*Given that the Framework is not ambiguous in stating that a Local Green Space designation is not appropriate for most green areas or open space, it is entirely reasonable to expect compelling evidence to demonstrate that any such allocation meets national policy requirements*” [own emphasis].”

We do not consider that the proposed designation satisfies any of the above three separate criteria set out in paragraph 77 of the NPPF and, as such, the designation cannot be sustained – as set out above, all three must be met before such designation would be appropriate. We would therefore request that the proposed designation is removed from the NSP.

We now consider whether the proposed designation is consistent with local planning for sustainable development and whether the proposed designation, if effected, could undermine this aim of plan making. The key guidance in this regard is paragraph 14 of the NPPF:

“14. At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

For plan-making this means that:

- *local planning authorities should positively seek opportunities to meet the development needs of their area;*
- *Local Plans should meet objectively assessed needs...*”

The NSP must meet the development needs of the area. Relative to this designation, in order to be sustainable it must follow that the designation of the Site as other open space, restricting any future development, meets the objectively assessed development needs of the area. We therefore firstly consider the need for the open space designation, and thereafter other objectively assessed development needs that could be met by the Site.

The 2013 Open Space Strategy provides a framework for the provision of open space in the Borough. The study identifies that central and northern parts of the Borough are in greatest need for good quality open space to help address socio-economic issues. This is reflected in Figure 3 below, which identifies composite levels of need. Those darker areas are in the greatest level of need. Need is demonstrably low in Dulwich, which is echoed by 91% of survey

respondents (questioned as part of the Strategy) in Dulwich saying they were satisfied with open spaces, compared to just 71% in Elephant and Castle.

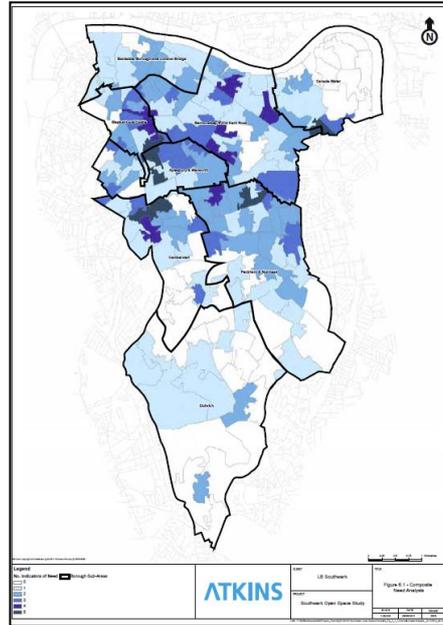


Figure 3: Composite Open Space Need

The Strategy describes that Dulwich has a distinct character from many other parts of the borough, with a range of historic qualities, a strong local identity and wide range of open space. The southern part of the sub-area includes a large body of open space managed by the Estate, some of which is publically accessible whilst some is leased by sports clubs and other providers. The northern part of the sub-area is suburban, consisting of residential dwellings with private gardens.

Dulwich Park is identified as a key focus for the community, and open space is generally of a very high quality. The quality and quantum of outdoor sports provision attracts residents from the north of the Borough and other boroughs in south London.

The sub-area has a total of 0.91ha of park provision per 1,000 population, significantly in excess of the 0.72ha standard. Whilst population growth is anticipated to reduce this to 0.76ha, this would still be above this standard and that does not account for increasing the quantum of open space.

The area significantly exceeds the Borough’s natural greenspace standard of 1.5ha per 1,000 population, achieving 4.23ha per 1,000 population (which will fall to 3.84ha per 1,000 population in 2026). This demonstrates an exceptionally high level of natural greenspace.

It should be noted that Dulwich is projected to experience the lowest population growth to 2026 (10.1% from 2011) in Southwark (Open Space Strategy Evidence Base 2013). Conversely, those areas with the highest projected population growth are those with the lowest levels of green space provision. It follows that more green space should be designated within these areas in order to meet identified needs.

A clear, evidence-based picture emerges that Dulwich is very well served both in quantum and quality of open space. As described within the Strategy, open spaces provide a wide range of positive benefits associated with health and well-being, quality of life and cohesive communities that open space provides, alongside a significant environmental benefit of ecological enhancements and visual amenity. What this level of provision indicates therefore is that the social and environmental needs of Dulwich residents are well served. This is echoed by having the lowest level of deprivation in the Borough, as reproduced in Figures 4 and 5 overleaf (Southwark Core Strategy). Looking specifically at health and disability deprivation, Dulwich again is the least deprived. Demonstrably, much of the development needs of the area are met, particularly when compared to other parts of the Borough.

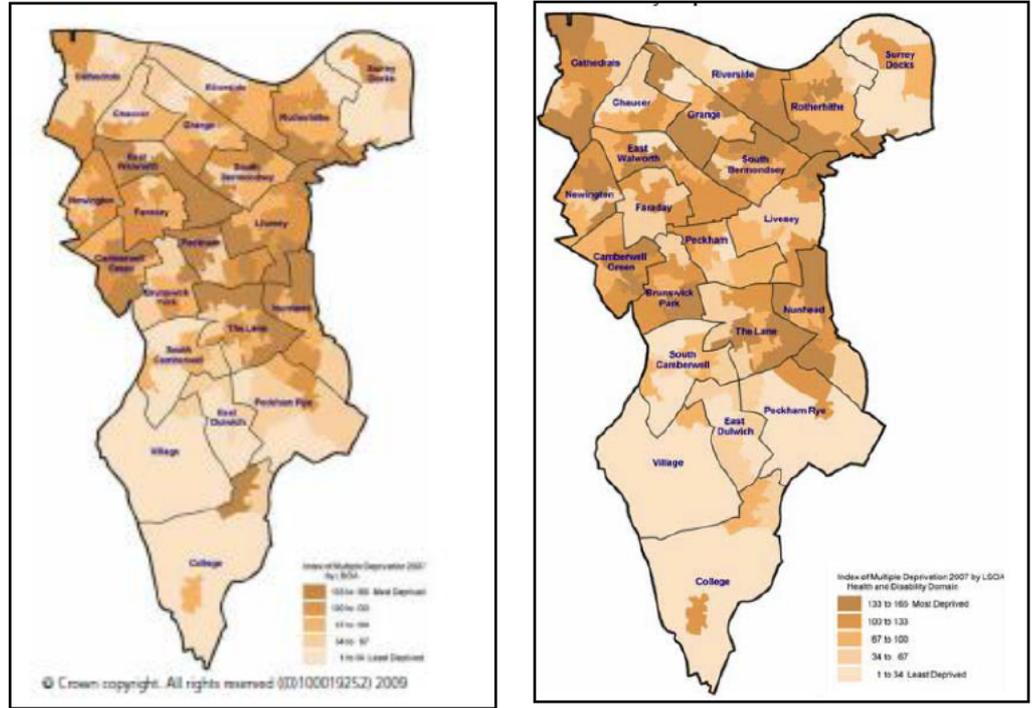


Figure 4: Index of Multiple Deprivation Figure 5: Health and Disability Deprivation

We do not consider that the designation can be sustained having regard to policy within the National Planning Policy Framework and guidance within National Planning Policy Guidance. The designation does not satisfy criteria within the NPPF required to demonstrate that the site is of special importance to the local community. The planning inspectorate has confirmed that, given the NPPF is clear that such a designation is inappropriate for most open space; the local authority must provide compelling evidence to demonstrate that the proposed designation meets the criteria set out in national policy.

The implication of this designation must be considered relative to plan making and achieving sustainable development. The designation would, in perpetuity, restrict any future development of the Site and would undermine planning for sustainable development, as the NSP is required to do. The NPPF requires plan makers to meet objectively assessed development needs. We have identified that Dulwich benefits from existing open space provision in excess of Borough-wide standards, a position that would be maintained even after project population growth. As such, there is no compelling argument to increase the provision of open space when considered against other, objectively assessed development needs.

The Estate would respectfully request that this designation is duly reconsidered.

Summary

The Estate has a desire to maintain and enhance Dulwich as a unique and historic place that serves the local and wider community in terms of the homes, business, shops, schools, community centres, leisure pursuits and open space it provides. Fundamental to achieving this is a planning policy context that is ambitious, reflexive and dynamic. We consider the recommendations made within these representations improve the quality of the existing policies to ensure this desire can be fulfilled, and we would welcome the opportunity to discuss these changes, alongside the sites set out in Appendix II, further with Southwark Council.

Yours sincerely

[Redacted signature]

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Appendix I
Five Year Housing Land Supply Position
(Emery Planning)



Assessment of Southwark Council's Five Year Housing Land Supply

1st April 2016 to 31st March 2021

for The Dulwich Estate

17-441

Project : 17-441
Client : The Dulwich Estate
Client : The Dulwich Estate

Date : 27 February 2018
Author : [REDACTED]

Approved by : [REDACTED]

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1. Introduction and Executive Summary

- 1.1 Emery Planning is instructed by the Dulwich Estate to provide an assessment of Southwark Council's five year housing land supply. Our assessment is submitted in support of the representations made by Daniel Watney LLP on behalf of the Dulwich Estate to the proposed submission version of the New Southwark Plan (NSP), which is currently being consulted on until 27th February 2018.
- 1.2 The assessment has been prepared based on the Council's latest published position set out in the "Southwark Five and Fifteen Year Housing Land Supply: 2016-2031" (evidence base document EB11). The base date of the five year supply is now almost 2 years ago. However, the Council has not published a new housing land supply position statement in support of its proposed submission version of the plan. Consequently, our assessment is based on the current document. In the event that the Council publishes a revised position statement after the consultation period closes and / or during the examination of the NSP, we request the opportunity to make representations on it.
- 1.3 The objective of the work is to provide an assessment of what is considered the deliverable five year housing land supply in Southwark to be at 1st April 2016.
- 1.4 Our conclusion is that the Council cannot demonstrate a deliverable supply of housing land. The reasons for this are summarised below.
- 1.5 On the requirement side, we have based our assessment on the housing requirement for Southwark set out in the London Plan (i.e. 2,736 dwellings p.a.). However, we recognise that the overall requirement set out in the London Plan is below the OAN as identified in the evidence base for the London Plan.
- 1.6 In terms of the five year supply to be demonstrated (i.e. the five year requirement including shortfall and buffer), we do not agree with the Council on two components:
- Firstly, the backlog should be addressed in full in the five year period; and
 - Secondly, the 20% buffer should apply to both the base requirement and the backlog.

- 1.7 This means that the total five year supply the Council must demonstrate (i.e. the five year requirement plus a 20% buffer) is 17,896 dwellings (i.e. 863 dwellings more than the Council claims it needs to demonstrate).
- 1.8 On the supply side, the Council claims that it has a deliverable five year supply between 1st April 2016 and 31st March 2021 of 18,595 dwellings. However, 37% of this (i.e. 6,880 dwellings) did not have planning permission at the base date. Many of these sites still do not have planning permission almost 2 years after the base date and therefore there is no evidence to support their delivery. On other sites, where planning permission has since been granted, there are phasing programmes, which mean that the sites will not deliver as many dwellings in the five year period as the Council claims.
- 1.9 As a result, we make a number of deductions to the Council's supply and conclude that the five year deliverable supply is less than five years. On this basis, the Council's housing land supply policies are considered out of date in accordance with paragraph 49 of the NPPF and the tilted balance to paragraph 14 of the NPPF applies. Further deliverable sites are required to address the shortfall.

2. Planning policy context

- 2.1 This section sets out the relevant planning policy context, which is referred to later in this statement.
- 2.2 Section 38 of the Planning and Compulsory Purchase Act (2004) requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. The position is summarised below.

National planning policy and guidance

National Planning Policy Framework (NPPF)

- 2.3 The NPPF was published in March 2012. In relation to housing land supply, the following sections are relevant.
- 2.4 Paragraph 47 of the NPPF states:

"To boost significantly the supply of housing, local planning authorities should:

- use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period;*
- identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land" (our emphasis)*

- 2.5 Footnote 11 of the NPPF states:

"To be considered deliverable, sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years and in particular that development of the site is viable. Sites with planning permission should be considered deliverable until permission expires, unless there is clear evidence

that schemes will not be implemented within five years, for example they will not be viable, there is no longer a demand for the type of units or sites have long term phasing plans."

2.6 Paragraph 48 of the NPPF states that:

"local planning authorities may make an allowance for windfall sites in the five-year supply if they have compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply. Any allowance should be realistic having regard to the Strategic Housing Land Availability Assessment, historic windfall delivery rates and expected future trends, and should not include residential gardens".

Planning Practice Guidance (PPG)

2.7 The PPG was published in March 2014. It contains guidance on housing and economic land availability assessments at section 3, which is referred to later in this statement.

Development plan context

2.8 The development plan for the site comprises:

- The London Plan (March 2016);
- The saved policies of the Southwark Plan (2007);
- Southwark Core Strategy (April 2011);
- Canada Water Area Action Plan (2015);
- Peckham and Nunhead Area Action Plan (2014); and
- Aylesbury Area Action Plan (2010).

Other material considerations

2.9 The following are also material considerations in relation to housing land supply in Southwark:

- Draft Old Kent Road Area Action Plan – consultation on the first draft took place between June and November 2016. Further consultation took place between June and September 2017 and the Council is currently consulting on a "further preferred option" until 21st March 2018. The draft Old Kent Road AAP includes a number of allocations, which are included in the five year supply.
- New Southwark Plan – the Council is preparing a New Southwark Plan, which will replace the 2007 plan and the Core Strategy. The Council is currently consulting on its proposed submission version until 27th February 2018. The NSP includes a number of

proposed allocations (including those already allocated in the AAPs above). However, it does not set timescales for the delivery of these sites or a housing trajectory. The plan period is to 2033 (i.e. beyond 2025 as set out in the London Plan).

- Blackfriars SPD (January 2014). This document does not allocate sites, but identifies "potential development sites". 26 of these have been identified by the Council as being deliverable in the five year supply, but there is no evidence to support the deliverability other than they have been identified as "potential development sites". We address this point further below.
- Elephant and Castle Opportunity Area SPD (March 2012). This document identifies the site at Newington Triangle as an opportunity area and the site is included in the Council's five year supply of housing land on that basis.
- Southwark Five and Fifteen Year Housing Land Supply: 2016-2031 (evidence base document EB11). This is the position statement, which our assessment is based on and is discussed in further detail in the following section of this statement.

3. Southwark Council's five year housing land supply

3.1 The Council's latest published position is included within its Five and Fifteen Year Housing Land Supply Paper 2016-2031 (published November 2016, evidence base document EB11) claims a 5.47 year supply based on the following:

- a base date of 31st March 2016 and therefore a five year period of 1st April 2016 to 31st March 2021;
- an annual requirement of 2,736 dwellings and a five year requirement of 13,680 dwellings (i.e. 2,736 X 5 years);
- the application of a 20% buffer, which is only applied to the base requirement (i.e. not to the total requirement including backlog);
- a backlog accrued between 1st April 2015 and 31st March 2016 of 617 dwellings, which is to be addressed in full in the five year period (i.e. the 'Sedgefield' method);
- a total five year requirement of 17,033 dwellings (i.e. 13,680 + 20% + 617); and
- a five year supply of 18,595 dwellings.

3.2 This position is summarised in the following table:

Table 3.1: Summary of Southwark Council's Five Year Housing Land Supply at 31st March 2016

	Requirement	
A	Annual requirement	2,736
B	Base five year requirement (A X 5 years)	13,680
C	20% buffer (20% of B)	2,736
D	Backlog since 1st April 2015	617
E	Total supply to be demonstrated (B + C + D)	17,033
F	Annual average (E / 5 years)	3,401
	Supply	
G	Five year supply (1st April 2016 to 31st March 2021)	18,595
H	Five year supply (G / F)	5.47

3.3 As far as we are aware, the Council's five year supply position statement was not consulted on and has not been tested at appeal.

- 3.4 As we have set out in the introduction to this statement, the base date of the Council's housing land supply position is now almost 2 years ago. The document itself was published in November 2016, over a year ago. The Council has confirmed that it intends to publish a new position statement "before the end of the financial year".
- 3.5 Consequently, the Council has failed to accord with paragraph 47 of the NPPF, which states that local planning authorities should identify and "update annually" a supply of specific deliverable sites to provide a five year supply. Whilst the introduction to the position statement states that paragraph 47 of the NPPF requires all local planning authorities to identify a supply of specific deliverable sites to provide a five year supply, there is no reference to the requirement to update this annually.
- 3.6 The position statement is 6 pages in total. Set out in appendix 1 is a 28 page schedule of 479 "specific deliverable sites". There is no evidence to support the Council's assumptions on deliverability of any of the sites included within the position statement.
- 3.7 Paragraph 3-033 of the PPG: "Updating evidence on the supply of specific deliverable sites sufficient to provide five years worth of housing against housing requirements" is relevant. It states:

"Applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The examination of Local Plans is intended to ensure that up-to-date housing requirements and the deliverability of sites to meet a five year supply will have been thoroughly considered and examined prior to adoption, in a way that cannot be replicated in the course of determining individual applications and appeals where only the applicant's/appellant's evidence is likely to be presented to contest an authority's position.

The National Planning Policy Framework requires local planning authorities to identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing. As part of this, local planning authorities should consider both the delivery of sites against the forecast trajectory and also the deliverability of all the sites in the five year supply.

Local planning authorities should ensure that they carry out their annual assessment in a robust and timely fashion, based on up-to-date and sound evidence, taking into account the anticipated trajectory of housing delivery, and consideration of associated risks, and an assessment of the local delivery record. Such assessment, including the evidence used, should be realistic and made publicly available in an accessible format. Once published, such assessments should normally not need to be updated for a full twelve months

unless significant new evidence comes to light or the local authority wishes to update its assessment earlier.

By taking a thorough approach on an annual basis, local planning authorities will be in a strong position to demonstrate a robust five year supply of sites. Demonstration of a five year supply is a key material consideration when determining housing applications and appeals. As set out in the National Planning Policy Framework, a five year supply is also central to demonstrating that relevant policies for the supply of housing are up-to-date in applying the presumption in favour of sustainable development." (our emphasis)

- 3.8 Consequently, in addition to failing to publish an annual position statement, the Council has also failed to publish any evidence to support the deliverability of sites. This is particularly surprising given that 37% of the five year supply is on sites that did not have planning permission at the base date.
- 3.9 Within this context, paragraph 3-031 of the PPG: "What constitutes a 'deliverable site' in the context of housing policy?" is relevant. It states:

"Deliverable sites for housing could include those that are allocated for housing in the development plan and sites with planning permission (outline or full that have not been implemented) unless there is clear evidence that schemes will not be implemented within five years.

However, planning permission or allocation in a development plan is not a prerequisite for a site being deliverable in terms of the five-year supply. Local planning authorities will need to provide robust, up to date evidence to support the deliverability of sites, ensuring that their judgements on deliverability are clearly and transparently set out. If there are no significant constraints (e.g. infrastructure) to overcome such as infrastructure sites not allocated within a development plan or without planning permission can be considered capable of being delivered within a five-year timeframe.

The size of sites will also be an important factor in identifying whether a housing site is deliverable within the first 5 years. Plan makers will need to consider the time it will take to commence development on site and build out rates to ensure a robust five-year housing supply." (our emphasis)

- 3.10 In summary, should the Council publish a new position statement after the consultation on the proposed submission version of the NSP has closed, we would firstly expect to see all of the Council's evidence to support the deliverability of sites within it and secondly we request the opportunity to comment on it during the examination of the plan.

4. Assessment of the Council's housing supply

4.1 Our assessment of the Council's five year housing land supply is based on six key stages:

1. Agreeing the base date and five year period;
2. Identifying the housing requirement;
3. Identifying the accumulated backlog;
4. Identifying the method of addressing the backlog;
5. Applying the appropriate buffer; and
6. Identifying a Realistic and Deliverable Supply.

4.2 Each stage is addressed below.

5. Stage 1: Agreeing the base date and five year period

- 5.1 The base date is the start date for the five year period for which both the requirement and supply should relate. As set out in section 3 above, the Council's most recent position has a base date of 31st March 2016. We note that this document was published in November 2016 however we have contacted the Council and they have confirmed that the intention is to publish the next housing land supply assessment before the end of the financial year. A revised position statement has not been prepared in support of the Council's current consultation on the proposed submission version of the NSP.
- 5.2 This means that for the purposes of our assessment, the base date is 31st March 2016. The five year period is therefore 1st April 2016 to 31st March 2021.

6. Stage 2: Identifying the housing requirement

Policy

6.1 Paragraph 47 of the NPPF states:

“to boost significantly the supply of housing, local planning authorities should:

- use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period;*
- identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements...”*

Guidance

6.2 Paragraph 030 (Reference ID: 3-030-20140306) of the PPG: “What is the starting point for the five-year housing supply?” states:

“The National Planning Policy Framework sets out that local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide five years’ worth of housing against their housing requirements. Therefore local planning authorities should have an identified five-year housing supply at all points during the plan period. Housing requirement figures in up-to-date adopted Local Plans should be used as the starting point for calculating the five year supply. Considerable weight should be given to the housing requirement figures in adopted Local Plans, which have successfully passed through the examination process, unless significant new evidence comes to light. It should be borne in mind that evidence which dates back several years, such as that drawn from revoked regional strategies, may not adequately reflect current needs.

Where evidence in Local Plans has become outdated and policies in emerging plans are not yet capable of carrying sufficient weight, information provided in the latest full assessment of housing needs should be considered. But the weight given to these assessments should take account of the fact they have not been tested or moderated against relevant constraints. Where there is no robust recent assessment of full housing needs, the household projections published by the Department for Communities and Local Government should be used as the starting point, but the weight given to these should take account of the fact that they have not been tested (which could evidence a different housing requirement to the projection, for example because past events that affect the projection are unlikely to occur again or because of market signals) or moderated against relevant constraints (for example environmental or infrastructure).”

Assessment

- 6.3 Our assessment of the five year housing land supply is based on the annual housing requirement set out in the London Plan (March 2016), which is 42,389 dwellings per annum over the period 2015 to 2025. Table 3.1 of the London Plan confirms that the minimum 10 year target for Southwark over the period 2015 to 2025 is 27,362 dwellings. This equates to an annual average of 2,736 dwellings and a five year requirement of 13,680 dwellings (i.e. 2,736 X 5 years).
- 6.4 As above, paragraph 47 of the NPPF explains that the supply should be assessed against the housing requirements and paragraph 3-030 of the PPG confirms that housing requirement figures in up-to-date adopted Local Plans should be used as the starting point for calculating the five year supply.
- 6.5 Whilst our assessment is based on this figure, the 42,389 figure for London is not the objectively assessed need for London. The London Plan Inspector identified that this figure is short by around 6,600 dwellings per annum over a 20 year period. Consequently, the London Plan was only adopted on the basis that an early review would be undertaken. The review of the London plan has commenced and a draft new London Plan is currently being consulted on with a view to an examination in public taking place later in 2018. It sets a housing requirement for Southwark of 25,540 between the period of 2019/20 to 2028/29 (i.e. a different period than the current London Plan addresses). In accordance with paragraph 216 of the NPPF, the draft new London Plan carries limited weight. As above, the Council's supply should be assessed against the housing requirement in the adopted London Plan (2016).
- 6.6 The DCLG standard methodology was consulted on between 14th September and 9th November 2017. For Southwark, it would result in an annual housing need of 3,089 dwellings. If this figure were used, the supply the Council would need to demonstrate over the five year period plus a 20% buffer would be 18,534 dwellings (i.e. 3,089 X 5 +20%). Under this scenario, the Council would have an "oversupply" in the five year period on its supply figure of just 62 dwellings.

- 6.7 In recent appeal decisions, the DCLG Standard methodology has carried very little weight¹. However, it indicates that the requirement figure for Southwark is expected to increase as part of the review to the London Plan.
- 6.8 Our assessment concludes that the Council cannot demonstrate a deliverable five year supply against the requirement set out in the London Plan, which in itself is lower than the OAN. Any increase to the housing requirement would mean an even greater shortfall.

¹ For example – an appeal decision regarding Dalton Heights, Seaham, County Durham (PINS ref: APP/X1355/W/16/3165490)

7. Stage 3: Identifying the accumulated backlog

7.1 The Council states that the backlog from 1st April 2015 to 31st March 2016 is 1,233 dwellings as summarised in the following table:

Table 7.1: Completions in Southwark 2015/16

Year	Requirement (dwellings p.a.)	Completions (net)	Over / under provision	Cumulative
2015/16	2,736	1,503	-1,233	-1,233

7.2 Even after one year, the backlog is significant and equates to almost half a year of unmet need. We have requested from the Council a schedule of the completions in 2015/16 and 2016/17. The Council responded by stating that the 2016/17 completion figures will not be available until early in 2018. The Council's website states that the Council will report the figures for 2016/17 "soon". It has not provided us with a schedule of completions for 2015/16.

7.3 Consequently, it is not possible at this stage to:

- Verify the completions for 2015/16; and
- Conclude whether or not the backlog will increase by 31st March 2017.

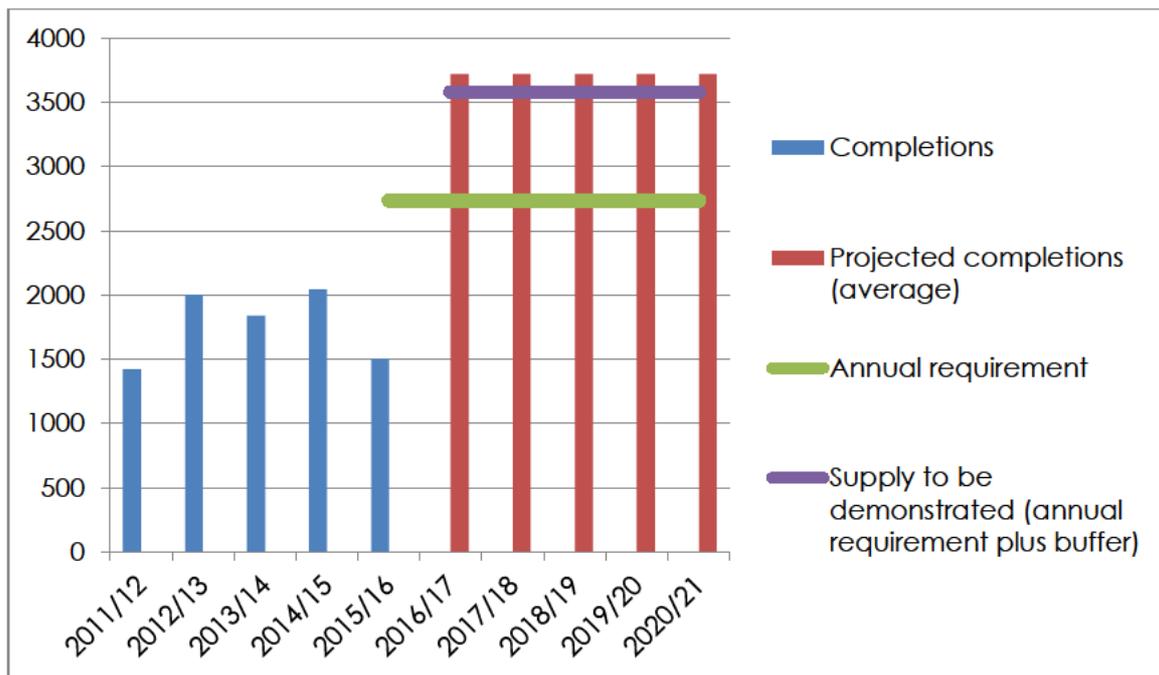
7.4 Once the new data for 2016/17 is available, we request the opportunity to comment further on this once the plan has been submitted for examination. However in the meantime, we note that 2,736 net dwellings has not been achieved in any of the last five monitoring years and the average has been 1,763 dwellings as set out in the following table:

Table 7.2: Net completions in Southwark 2011/12 to 2015/16

Monitoring year	No. of net completions
2011/12	1,421
2012/13	2,004
2013/14	1,843
2014/15	2,042
2015/16	1,503
Total	8,813
Average	1,763

7.5 Within this context, we note that the Council claims a deliverable supply of 18,595 dwellings. This would mean an average delivery rate of 3,719 dwellings, which is significantly higher than the delivery over the last five years. This is illustrated in the chart below.

Chart 7.1 – Completions and Projected Completions in Southwark to 2020/21



8. Stage 4: Identifying the method of addressing the backlog

8.1 The Council proposes to address the backlog over the remaining 10 years of the Core Strategy period. The only justification for doing so appears to be footnote 3 of the position statement, which states:

"This shortfall will be made up over the remaining 10 years of the Core Strategy plan period as planned development relies on phased delivery from complex large scale redevelopment sites"

8.2 This approach is not agreed. The backlog should be addressed within the five year period (i.e. the "Sedgefield" methodology).

8.3 The NPPF does not specifically state that how the backlog should be addressed. However, it did introduce a requirement to "boost significantly" the supply of housing (paragraph 47), and importantly the backlog is a shortfall in supply which exists at the start of the five year requirement – so to defer addressing it until the end of a 10 year period makes little sense in the light of paragraph 47. Therefore addressing the backlog as soon as possible would be consistent with this requirement.

8.4 Paragraph 3-035 of the PPG (Reference ID: 3-035-20140306): "How should local planning authorities deal with past under-supply?" provided further guidance. It states:

"Local planning authorities should aim to deal with any undersupply within the first 5 years of the plan period where possible. Where this cannot be met in the first 5 years, local planning authorities will need to work with neighbouring authorities under the 'Duty to Cooperate'."

8.5 Consequently, the PPG is clear that Local Planning authorities should aim to deal with the backlog within five years. Whilst the PPG does appear to recognise that there may be circumstances when this is not possible, it does not suggest that the backlog should be addressed over any other period in those circumstances. Instead it states that local planning authorities will need to work with neighbouring authorities under the 'Duty to Co-operate', presumably with adjacent authorities looking to help to address the backlog by making immediate provision. The PPG does not endorse deferring addressing the issue for longer than five years and makes no reference to phased delivery on large sites as the Council seeks to do.

- 8.6 There is therefore no support in either policy or guidance for the Council's approach to addressing the backlog over the longer period.
- 8.7 This means that the backlog of 1,233 dwellings should be addressed in full in the five year period and therefore the total five year requirement is 14,913 dwellings (i.e. 13,680 + 1,233).

9. Stage 5: Applying the appropriate buffer

Policy

9.1 Paragraph 47 of the NPPF states:

"To boost significantly the supply of housing, local planning authorities should:

- Identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land."*

9.2 It continues by stating:

"Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land".

Guidance

9.3 Paragraph 035 (Reference ID: 3-035-20140306) of the PPG: "How should local planning authorities deal with past under supply?" states:

"The approach to identifying a record of persistent under delivery of housing involves questions of judgment for the decision maker in order to determine whether or not a particular degree of under delivery of housing triggers the requirement to bring forward an additional supply of housing.

The factors behind persistent under delivery may vary from place to place and, therefore, there can be no universally applicable test or definition of the term. It is legitimate to consider a range of issues, such as the effect of imposed housing moratoriums and the delivery rate before and after any such moratoriums.

The assessment of a local delivery record is likely to be more robust if a longer term view is taken, since this is likely to take account of the peaks and troughs of the housing market cycle.

Local planning authorities should aim to deal with any undersupply within the first 5 years of the plan period where possible. Where this cannot be met in

the first 5 years, local planning authorities will need to work with neighbouring authorities under the Duty to Cooperate".

Assessment

9.4 It is agreed that the 20% buffer applies to Southwark.

Application

9.5 The Council's position statement only applies the 20% buffer to the base requirement and not to the backlog.

9.6 In our view, the total five year requirement includes the backlog and there is no rational reason not to apply the buffer to both. As set out in paragraph 47 of the NPPF, the 20% buffer is applied to:

"provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land"

9.7 Therefore the 20% buffer is applied to the whole five year requirement to provide a realistic prospect of achieving it.

9.8 Notwithstanding this, we note that in a single appeal decision letter dated 19th January 2015 regarding land bounded by Gresty Lane, Rope Lane, Crewe Road and A500, Crewe (Cheshire East, PINS ref: APP/R0660/A/13/2209335) stated at paragraph 14:

"the Secretary of State disagrees with the Inspector's approach of including the allowances for each year's backlog in the overall sum to which the buffer should be applied as he sees this as double-counting. He considers that it would be more appropriate to add the figures for the backlog once the figure for each year's need has been adjusted to include the buffer. This would result in a slightly lower total requirement for each year but, nevertheless, one to which he considers that a 20% backlog should be applied."

9.9 Whilst the Secretary of State does not explain what is meant by "double-counting", he was of the view that the buffer should not be applied to the backlog.

9.10 However, since then all of the Secretary of State appeal decisions – including in Cheshire East – have applied the buffer to the backlog as well as the base requirement.

9.11 The most recent Secretary of State appeal decision where the application of the buffer was debated relates to a decision regarding land at Bagley Lane / Calverley Lane, Farsley, Leeds

(PINS ref: APP/N4720/A/13/2200640). The case for the Appellant is set out in paragraphs 14 to 76 of the Inspector's supplementary report to the Secretary of State (dated 27th January 2015). Paragraph 29 states:

"The buffer should be added to the base requirement and undersupply, according to the SoS in the Galley Hill and Droitwich Spa appeals. The undersupply is what should have been provided according to the CS. A buffer (whether 5% or 20%) is always to be applied to the base figure from the start of the new plan, so it follows that by not delivering the base requirement figure, the LPA cannot be allowed to wipe out the buffer as well - thereby reducing the requirement it would otherwise have had to meet in the 5 year period - simply because it failed to meet the base annual requirement. This would have the effect of rewarding a failure to deliver with a lower requirement that would have otherwise been expected."

9.12 The Inspector agreed with the Appellant. Paragraphs 188 and 189 of the Inspector's supplementary report state:

"On the basis that delivery exceeded targets for the first four of the last 10 years, a persistent under delivery of housing has not been proven, a conclusion which is consistent with that which I came to previously [OR176]. This is a judgement based on the particular circumstances in Leeds as put to me at the inquiry. A buffer of 5% should be applied to the five year requirement. The buffer should also be applied to the under supply as to do otherwise would result in some of the CS requirement and the 5% buffer disappearing altogether [IR29]. The application of a 5% buffer would not result in the harm from a higher requirement identified in paragraph 24 of the CSIP [IR87 & 89]

The five year housing requirement comprises about 24,440 dwellings which includes the under supply since April 2012 [IR184] made up in this period and the application of a 5% buffer to both the base requirement and the under supply."

9.13 In the appeal decision letter, the Secretary of State agreed with both the Inspector's reasoning and conclusion regarding the five year housing requirement. Paragraph 11 of the decision letter (dated 10th March 2015) states:

"Like the Inspector, the Secretary of State has then gone on to consider the implications of the shortfall in provision against the base requirement. He agrees with the Inspector's reasoning at IR(ii)184-188, and with his conclusion at IR(ii)189, that the five year housing requirement comprises about 24,440 dwellings including the undersupply since April 2012 to be made up in this period and the application of a 5% buffer"

9.14 Therefore, the most recent decision from the Secretary of State where the issue was debated confirms that the buffer should be applied to the backlog. In fact, with the exception of the Gresty Lane appeal decision, all Secretary of State decisions where this issue has been raised confirm that the buffer should be applied to the backlog.

9.15 It is also in line with guidance from the Planning Advisory Service (PAS), entitled: "Five Year Land Supply FAQ". This was published on 20th July 2015 and states:

"We believe the preferred approach is for the buffer to be applied to both the requirement and shortfall. This is the most appropriate order because it ensures the buffer is applied to the full requirement which represents all the need that exists. The idea is that for every year you underprovide the amount adds onto the requirement to be met in the next five years. In reverse any over provision which would count as completions and could be taken off the requirement, to which the buffer is then applied. The idea of the buffer is to ensure that there is flexibility to provide sites and meet the needs that exist."

9.16 We also note that it is in line with the recommendations of the Local Plans Expert Group as set out in its report to the Secretary of State (March 2016). Paragraph 43 of the report states:

"We recommend tighter parameters within the NPPG for calculating the five year housing land supply with these to be confirmed through a technical sub group looking at the following aspects:

i. A prescribed approach to defining the housing requirement for five year land supply purposes with and without an up-to-date Local Plan, to include the expectation that the housing requirement figure in an adopted Local Plan is considered to be regarded as up-to-date for five year land supply purposes for a period of at least three years commencing at the date at which an Inspector concluded on the OAN figure in examining the Local Plan.

ii. A base date against which to measure undersupply;

iii. A more prescriptive definition for persistent under delivery or the application of a blanket buffer to all LPAs;

iv. Clarifying that the application of the buffer is to the requirement plus backlog;

v. The implementation of a more case-specific application of Liverpool or Sedgely for the delivery of backlog;

vi. *The introduction of a lapse rate into the calculation; and*

vii. *Explicit exclusion of specialist types of accommodation as components of supply.*

9.17 Consequently, the unexplained reasoning in the Gresty Lane appears to have been disavowed by the Secretary of State and the Inspectorate and there is no proper basis why the buffer should not be added to the whole five year requirement, which includes the backlog.

Summary in relation to the housing requirement

9.18 In summary, the number of dwellings the Council is required to deliver in the next five years is 14,913 dwellings (i.e. 2,736 X 5 years plus 1,233 backlog). The total supply that needs to be demonstrated including the 20% buffer is 17,896 dwellings (i.e. 14,913 dwellings plus 20%).

9.19 This position is set out in the following table:

Table 9.1: Supply to be demonstrated in Southwark 1st April 2016 to 31st March 2021

	Requirement	
A	Annual requirement (2015 to 2025)	2,736
B	Five year requirement (A x 5 years)	13,680
C	Backlog 2015/16	1,233
D	Total five year requirement (B+C)	14,913
E	Buffer (20% of D)	2,983
F	Total supply to be demonstrated (D + E)	17,896
G	Annual average (F / 5 years)	3,579

10. Stage 6: Identifying a Realistic and Deliverable Supply

Methodology for calculating housing land supply

Sites with planning permission

10.1 As above, footnote 11 of the NPPF states that:

"Sites with planning permission should be considered deliverable until permission expires, unless there is clear evidence that schemes will not be implemented within five years, for example they will not be viable, there is no longer a demand for the type of units or sites have long term phasing plans" (our emphasis)

10.2 Consequently, the onus is on those challenging the supply to demonstrate with clear evidence that schemes will not be implemented within the five year period. As we discuss below, the test applied to sites without planning permission is different and therefore it is these sites, which our assessment focuses on.

Sites without planning permission

10.3 At the base date (31st March 2016), none of these sites had planning permission. Whilst footnote 11 of the NPPF states that sites with planning permission should be considered deliverable until permission expires, unless there is clear evidence that schemes will not be implemented, there is no reference to sites without planning permission.

10.4 As above, paragraph 031(Reference ID: 3-031-20140306) of the PPG: "What constitutes a 'deliverable site' in the context of housing policy?" states:

"... planning permission or allocation in a development plan is not a prerequisite for a site being deliverable in terms of the five-year supply. Local planning authorities will need to provide robust, up to date evidence to support the deliverability of sites, ensuring that their judgements on deliverability are clearly and transparently set out. If there are no significant constraints (e.g. infrastructure) to overcome such as infrastructure sites not allocated within a development plan or without planning permission can be considered capable of being delivered within a five-year timeframe". (our emphasis)

10.5 Consequently, the onus is on the Council to provide "robust, up to date evidence" to support the deliverability of all sites. Further, there must be "no significant constraints" to overcome.

Within this context, it is surprising that the Council has chosen not to publish any evidence to support the deliverability of any of the sites in its schedule. There is consequently no evidence to justify the Council's delivery assumptions on any of the sites without planning permission.

- 10.6 This is relevant as the Council relies on 6,880 dwellings being deliverable on 62 sites in the five year period, yet it has not produced any evidence to support these claims. Whilst we note that these sites have been identified and in some cases allocated in planning documents, this does not mean they should be automatically considered deliverable in the five year period. Footnote 11 of the NPPF does not state that allocated sites "should" be considered deliverable. Instead, paragraph 3-031 of the PPG states:

"Deliverable sites for housing could include those that are allocated for housing in the development plan and sites with planning permission (outline or full that have not been implemented) unless there is clear evidence that schemes will not be implemented within 5 years". (our emphasis)

- 10.7 Therefore, allocated sites are not assumed to be deliverable as sites with planning permission are under the footnote in the NPPF (unless there is clear evidence that schemes will not be implemented within five years). There are clearly differences between a site with planning permission and an allocated site in terms of deliverability. Firstly, site specific issues will have been addressed in much greater detail than through the allocation of a site. Secondly, there will be a condition on the planning permission, which will require a start on site within a set time period and this is likely to mean that at least a start on site is expected within a five year period.
- 10.8 For the avoidance of doubt, our case is not that these sites are fundamentally unsuitable for housing or that they will not deliver any dwellings in the plan period (and beyond). It is that there is no evidence to support the delivery of these sites in the current five year period. If the sites are sold to developers and planning permissions approved and implemented, then the position may change going forward. However, in terms of the evidence currently available, there is no evidence to demonstrate that any of these sites will deliver dwellings in the five year period.
- 10.9 As we have set out above, almost two years have passed since the base date and therefore it has been possible to see if planning applications have come forward since these sites were identified as being deliverable at 31st March 2016. For many of these sites, this has not been the case.

11. Analysis of the supply

Introduction

11.1 The Five and Fifteen Year Housing Land Supply Paper states that the Council has a five year supply of 18,595 dwellings. This is separated into four categories:

- "Category (a)" – Sites identified in planning documents without permission;
- "Category (b)" – Sites with planning permission;
- "Category (c)" – Small sites windfall allowance; and
- "Category (d)" – Sites with planning permission for non-conventional housing

Table 11.1 – Breakdown of the Council's five year supply

Category	Status at base date	No. of dwellings in the five year supply	Percentage of 5YHLS
(a)	Sites identified in planning documents without permission	6,880	37%
(b)	Sites with planning permission	10,159	55%
(c)	Small sites windfall allowance	596	3%
(d)	Sites with planning permission for non-conventional housing	956	5%
	Total	18,595	

Sites identified in planning documents without permission at the base date

11.2 As set out in table 11.1 above, the Council states that 6,880 dwellings will be delivered between 1st April 2016 and 31st March 2017 on sites identified in planning documents that did not have planning permission at the base date.

11.3 These dwellings comprise the following:

Table 11.2 – Breakdown of the sites without planning permission

Status at base date	No. of sites	No. of dwellings in the five year supply
Allocations in the Southwark Local Plan (2007)	6	937
Allocations in the Canada Water Area Action Plan (2015)	8	1,054
Allocations in the Aylesbury Area Action Plan (2010)	1	71
Allocations in the Peckham and Nunhead Area Action Plan (2014)	9	959
Allocations in the Blackfriars Road SPD (2014)	26	1,934
Allocations in the Elephant and Castle SPD (2012)	1	125
Draft Allocations in the Draft Old Kent Road Area Action Plan	11	1,800
Total	62	6,880

11.4 We assess these sites as follows.

Allocations in the Southwark Local Plan (2007)

11.5 As above, the Council claims that 937 dwellings will be delivered on 6 sites allocated for residential development in the Southwark Local Plan (2007). It is of note that the Local Plan was adopted over 10 years ago and yet at 31st March 2016, none of these sites had planning permission.

66P: Peckham Cinema and multi-storey car park (capacity = 160 dwellings, 5YHLS = 80 dwellings)

11.6 The 2007 Local Plan (page 103) explains that the site could accommodate between 84 and 195 no. dwellings. The notes explain that this would only happen following the relocation of the cinema and the multi-storey car park.

11.7 Whilst the site was allocated in the Southwark Plan, following a local campaign to save the cinema from development the Council has recently extended the leases of the current occupiers to 2038 and removed the site from the draft New Southwark Plan. We understand the leases had already been extended to 2022, meaning this site should not have been included within the five year housing land supply. This means **80 dwellings** should be removed from the supply.

10P: 21 Harper Road and Sorting Office (capacity = 81 dwellings, 5YHLS = 81 dwellings)

11.8 The 2007 Local Plan (page 88) explains that the site could accommodate 60 no. dwellings and that these are to be phased between 2007 and 2010.

11.9 Since the base date, a planning application has been made at the site for a mixed use scheme, including 106 no (LPA ref: 16/AP/3174). It is still pending determination. However, assuming it is permitted and implemented in the five year period, this would mean that an additional 25 dwellings should be added to the Council's five year supply.

73P: East Dulwich Hospital (capacity = 132 dwellings, 5YHLS = 132 dwellings)

11.10 Whilst the site is allocated in the Southwark Local Plan, an application was approved on 2nd February 2017 for the:

"Erection of a health centre within a part 2, part 3-storey building to accommodate medical services and related uses (Use Class D1), access,

parking and servicing areas, hard and soft landscaping and associated groundworks." (LPA ref: 16/AP/2747)."

11.11 The site should not be included in the supply and this results in a reduction of **132 dwellings**.

39P: Elephant and Castle Shopping Centre (capacity = 186 dwellings, 5YHLS = 93 dwellings)

11.12 The 2007 Local Plan (page 96) explains that the site could accommodate 4200 residential units (this total includes sites 8P, 9P, 10P, 38P, 40P, 42P, 43P, 44P, 51P, 53P, and 58P) and that these are to be phased between 2006 and 2010.

11.13 A planning application has been submitted for a phased mixed use development including 979 dwellings (LPA ref: 16/AP/4458). The first part of the site ("the east site") includes the shopping centre and will include the residential development. The planning application has not yet been determined. However, the phasing included within the planning statement sets out the following:

- March 2018 – commencement of demolition;
- September 2019 – demolition complete and construction commenced;
- March 2021 – commencement of unit completions; and
- October 2022 – east site completed.

11.14 As the application has not been determined, there is already slippage in the above timescales and on this basis; no dwellings can be expected at this site in the five year period. This results in a deduction of **93 dwellings**.

51P: Nursery Row Park (capacity = 87 dwellings, 5YHLS = 87 dwellings)

11.15 The 2007 Local Plan (page 100) states that the site could accommodate 253 residential units with phasing for development between 2006 and 2010.

11.16 Whilst the site was allocated in the Local Plan, a motion was passed by the Council in July 2010 to protect the park as open space. Consequently, this site should not be included in the supply and this results in a deduction of **87 dwellings**.

49P: Manor Place Depot (capacity = 546 dwellings, 5YHLS = 464 dwellings)

11.17 The 2007 Local Plan (page 99) explains that the site could accommodate between 212-493 residential units.

11.18 It is unclear why the site is included in the supply for 464 dwellings. An application for 270 dwellings was approved on the site on 31st March 2016 (LPA ref: 15/AP/1062). The latest position is that demolition has begun and the first homes are expected in early 2019. Consequently, we include the 270 dwellings at the site and discount the remaining **194 dwellings**.

Summary in relation to allocations in the Southwark Local Plan

11.19 The Council considers that 937 dwellings will be delivered from 6 sites allocated in the Southwark Local Plan. We consider that 376 dwellings could be delivered; a deduction of **561 dwellings** as we set out in the following table:

Table 11.3 – Summary of deductions on sites allocated in the Southwark Local Plan

Site ref	Address	Council 5YHLS	Emery Planning 5YHLS	Difference
66P	Peckham Cinema	80	0	-80
10P	21 Harper Road	81	106	+25
73P	Dulwich Hospital	132	0	-132
39P	Elephant and Castle Shopping Centre	93	0	-93
49P	Manor Place Depot	464	270	-194
51P	Nursery Row Park	87	0	-87
	Total	937	376	-561

Allocations in the Canada Water Area Action Plan (2015)

11.20 The Council considers that 1,054 dwellings will be delivered on 8 sites allocated in the Canada Water Area Action Plan, which was adopted in 2015. We discuss these sites below.

CWAAP5: Decathlon Site (Site C), Surrey Quays Shopping Centre and Overflow Car Park (capacity = 2,253 dwellings, 5YHLS = 324 dwellings)

11.21 Outline planning permission with details for the first phase was granted on this site for a mixed use development including 1,030 dwellings in March 2013 (LPA ref: 12/AP/4126). There are four blocks: C1, E1, C2, C3 and C4.

11.22 400 dwellings are already included in the supply on this site as a site with planning permission (ref: 12-AP-4126). This means in total, the Council considers that 724 dwellings will be delivered on this site by 31st March 2021.

11.23 The first phase (C1) is for an 18 storey tower comprising a new Decathlon store and 234 dwellings. Construction started in 2015 and according to the developer (Notting Hill Housing)'s website, the building will be complete in 2018. According to the approved phasing details, the next phase will then be building E1, which will include 231 dwellings, a health centre, office and retail.

11.24 According to the phasing programme, buildings C2, C3 and C4, will be delivered after the end of the five year period.

11.25 On this basis, we accept the inclusion of 465 dwellings in the five year period i.e. buildings C1 and E1, but as 400 dwellings are already included in the supply as a site with planning permission, this means only 65 out of the 324 dwellings claimed by the Council and therefore a deduction of **259 dwellings**.

CWAAP17_18: Site E: Mulberry Business Park, Harmsworth Quays and Surrey Quays Leisure Park, Land on Roberts Close (capacity = 2,073 dwellings, 5YHLS = 325 dwellings)

11.26 The remainder of site E (not including building E1, discussed above) includes the site for 770 student bedrooms and 33 affordable homes, which are both already included within the supply as sites with planning permission (LPA ref: 13/AP/1429).

11.27 The remainder of site E is being delivered as part of the Canada Water Masterplan. The latest timeline position on the masterplan website indicates that there will be a revised master plan in 2018, the planning process will take place over 2018 and then a 15-20 year build (for the whole of the masterplan area) will take place from 2019. The transport infrastructure is being planned on the basis that the first buildings will be delivered in 2021-22. On this basis, we do not consider that this site will deliver any further dwellings by March 2021. This means a discount of **325 dwellings**.

CWAAP8 – Rotherhithe Police Station (capacity = 50 dwellings, 5YHLS = 50 dwellings)

11.28 Whilst a planning application has not been made, the site is vacant and has recently been marketed (October 2017, Knight Frank) and therefore we do not make a deduction at this stage.

CWAAP4 – Albion Primary School (capacity = 49 dwellings, 5YHLS = 49 dwellings)

11.29 A planning application for 50 dwellings is pending determination at this site for 50 no. dwellings (LPA ref: 17/AP/1234). We consequently make no deduction and increase the supply by 1 dwelling.

CWAAP6 – 24-28 Quebec Way (capacity = 94 dwellings, 5YHLS = 94 dwellings)

11.30 Planning permission was approved on 4th March 2016 (i.e. before the base date) for 94 dwellings (LPA ref: 15/AP/2217). Therefore we do not make a discount at this site.

CWAAP15 – Odessa Street Youth Club (capacity = 25 dwellings, 5YHLS = 25 dwellings)

11.31 A planning application for 74 residential dwellings has been approved at this site (LPA ref: 16/AP/2681) and therefore the supply should be increased by 49 dwellings.

CWAAP16 – St George's Wharf (capacity = 180 dwellings, 5YHLS = 180 dwellings)

11.32 The site is owned by the Council. We understand that there has been an EIA Screening application (LPA ref: 16/AP/0728) and pre-application with the GLA for a mixed use including 214 dwellings. Whilst this has not led to the submission of a planning application, we do not discount the site at this stage, but will review the position once further details are available.

Summary in relation to allocations in the Canada Water Area Action Plan

11.33 The Council considers that 1,054 dwellings will be delivered on 8 sites allocated in the Canada Water Area Action Plan, which was adopted in 2015. We consider that 520 dwellings could be delivered; a deduction of **534 dwellings** as we set out in the following table:

Table 11.4 – Summary of deductions on sites allocated in the CWAAP

Site ref	Address	Council 5YHLS	Emery Planning 5YHLS	Difference
CWAAAP5	Site C (Decathlon)	324	65	-259
CWAAAP17 18	Site E	325	0	-325
CWAAP8	Rotherhithe Police Station	50	50	0
CWAAP4	Albion Primary School	49	50	1
CWAAP6	24-28 Quebec Way	94	94	0
CWAAP15	Odessa Street Youth Club	25	74	49
CWAAP16	ST George's Wharf	180	180	0
CWAAP9	23 Rotherhithe Old Road	7	7	0
	Total	1,054	520	-534

Allocations in the Peckham and Nunhead Area Action Plan (2014)

11.34 The Council considers that 959 dwellings are deliverable on 9 sites allocated in the Peckham and Nunhead Area Action Plan. We discuss these sites below.

PNAAP1: Aylesham Centre (capacity = 403 dwellings, 5YHLS = 403 dwellings)

11.35 The Peckham and Nunhead AAP (2014) Appendices explains that the site could accommodate 400 units to be implemented between 2016 and 2020.

11.36 An application has not been submitted, but is being prepared. There has been public consultation in November 2016 and July 2017. The latest position is that there will be further public consultation before a planning application is submitted in spring 2018. The plans are to redevelop the existing town centre retail area by providing new retail units on the ground floor and residential apartments above. There are plans for a 20 storey residential tower.

11.37 The promoter (Tiger Developments) website sets out the following timetable:

- Spring 2018 – Application submission
- Early 2019 – Construction starts
- 2023 – Completed

11.38 On this basis, there is no realistic prospect that 403 dwellings will be completed by 31st March 2021. Until the phasing is known, it is unclear whether the site will deliver any dwellings before March 2021. On this basis, we remove the site from the five year supply and this means a deduction of **403 dwellings**.

PNAAP4: Copeland Industrial Park (capacity = 269 dwellings, 5YHLS = 202 dwellings)

11.39 The Peckham and Nunhead AAP (2014) Appendices states that the site could accommodate 270 units to be implemented between 2016 and 2020.

11.40 The site is in use for cultural and community uses. The plans are for new residential development to be incorporated amongst these uses. However, a planning application has not been made in the 3 years since the AAP was adopted. There is no robust, up to date evidence to support the delivery of 202 dwellings by the end of 31st March 2016. The site should be removed. This is a deduction of **202 dwellings**.

PNAAP7: Copeland Road Car Park (capacity = 63 dwellings, 5YHLS = 63 dwellings)

11.41 The Peckham and Nunhead AAP (2014) Appendices explains that the site could accommodate 75 units to be phased between 2016 and 2020.

11.42 Full planning permission has been granted for 67 no. dwellings (LPA ref: 16/AP/3503). Southwark's Regeneration in Partnership explains that work will begin on the site in 2018. Consequently, **4 dwellings** should be added to the supply.

PNAAP8: Cator Street/Commercial Way (capacity = 148 dwellings, 5YHLS = 148 dwellings)

11.43 The Peckham and Nunhead AAP (2014) Appendices explains that the site could accommodate 180 units to be phased between 2016 and 2020.

11.44 The Council owns three, vacant pieces of land which forms the allocation. An application has been made for 109 affordable dwellings on one of the sites, which is pending determination (LPA ref: 16/AP/4702). On the basis that there is activity on this site, we do not make a deduction at this stage.

PNAAP10: Eagle Wharf (capacity = 23 dwellings, 5YHLS = 23 dwellings)

11.45 The Peckham and Nunhead AAP (2014) Appendices states that the site could accommodate 25 units to be phased between 2012 and 2020.

11.46 The site is allocated for residential development, but an approved application (LPA ref: 16/AP/2649) did not include residential development. The justification set out in the officer's report states:

"The PNAAP designation states that the site would also be appropriate for residential development above active ground floor uses due to proximity to bus, train and overground links. Residential is listed as a required use. There is no residential accommodation in the proposed development. The provision of residential units in conjunction with the floor space requirements of Mountview Academy would have significant implications for the size and scale of the building and its relationship with Peckham Library and neighbouring residential properties. Furthermore the provision of residential use and the cultural use in the same building would have presented significant challenges for the layout of the academy and quality of residential accommodation that would not make the most efficient use of the site. The key requirement of the site

designation is the provision of a cultural/leisure use on the site. The proposals put forward by Mountview represent an opportunity to increase Peckham Library Square's focus as a cultural centre."

11.47 Consequently, **23 dwellings** are deducted from the supply.

PNAAP13: Sumner Road Workshops (capacity = 22 dwellings, 5YHLS = 22 dwellings)

11.48 The Peckham and Nunhead AAP (2014) Appendices states that the site could accommodate 160 units to be phased between 2011 and 2015.

11.49 The site is already included in the supply as a site that has permission (LPA ref: 14/AP/2000), which is under construction / complete. Therefore we do not include a further **22 dwellings**.

PNAAP15: Woods Road (capacity = 10 dwellings, 5YHLS = 10 dwellings)

11.50 The Peckham and Nunhead AAP (2014) Appendices explains that the site could accommodate 115 units to be implemented between 2011 and 2015.

11.51 The site is already included in the supply as a site that has permission (LPA ref: 14/AP/1872). Therefore we do not include a further **10 dwellings**.

PNAAP16: Sumner House (capacity = 48 dwellings, 5YHLS = 48 dwellings)

11.52 The Peckham and Nunhead AAP (2014) Appendices states that the site could accommodate 45 units to be phased between 2016 and 2020.

11.53 A planning application has been made for 44 flats and 4 houses at Sumner House (LPA ref: 16/AP/4018). Consequently, we accept the inclusion of this site in the supply.

PNAAP32: Bredinghurst School (capacity = 40 dwellings, 5YHLS = 40 dwellings)

11.54 The Peckham and Nunhead AAP (2014) Appendices explains that the site could accommodate 40 units to be implemented between 2016 and 2020.

11.55 Planning permission has since been granted for the site to be used by Ivydale School (LPA ref: 14/AP/4713). Consequently, we deduct **40 dwellings**.

Summary in relation to allocations in the Peckham and Nunhead Area Action Plan

11.56 The Council considers that 959 dwellings are deliverable on 9 sites allocated in the Peckham and Nunhead Area Action Plan. We consider that 263 dwellings could be delivered; a deduction of **696 dwellings** as we set out in the following table:

Table 11.5 – Summary of deductions on sites allocated in the PNAAP

Site ref	Address	Council 5YHLS	Emergy Planning 5YHLS	Difference
PNAAP1	Aylesham Centre	403	0	-403
PNAAP4	Copeland Industrial Park	202	0	-202
PNAAP7	Copeland Car Park	63	67	+4
PNAAP8	Cator Street / Commercial Way	148	148	0
PNAAP10	Eagle Wharf	23	0	-23
PNAAP13	Sumner Road Workshops	22	0	-22
PNAAP15	Woods Road	10	0	-10
PNAAP16	Sumner House	48	48	0
PNAAP32	Bredinghurst School	40	0	-40
	Total	959	263	-696

Allocations in the Draft Old Kent Road Area Action Plan

11.57 As above, the Council claims that 11 sites proposed to be allocated in the draft Old Kent Road AAP will deliver a total of 1,800 dwellings in the five year period. We discuss these sites as follows.

11.58 However, from the outset it should be noted that the plan is still in draft form and is currently subject to further consultation until 28th March 2018. This is relevant because it means that many of the sites are not allocated and the proposals for each site may change prior to the adoption of the AAP. As we have already stated, the onus is on the Council to provide robust, up to date evidence in relation to all sites and particularly those without planning permission which are only included in the schedule on the basis that they are draft allocations in a plan subject to further consultation and yet to be adopted.

OKR 2: Crimscott Street and Pages Walk (capacity = 652 dwellings, 5YHLS = 429 dwellings)

11.59 In December 2016, planning permission has been granted for a mixed use scheme including 406 dwellings (15/AP/2474). The site will be developed in three phases:

- Phase 1 – plots 1 (71 dwellings) ,2 (87 dwellings) and 6 (12 dwellings);
- Phase 2 – plot 5 (106 dwellings); and
- Phase 3 – plots 3 (79 dwellings) and 4 (51 dwellings)

11.60 The phasing programme set out in the application documents indicated a start on site at the end of 2015 and completion by the end of 2020. This has not happened as the permission was only granted in December 2016 and the developer is still in the process of discharging pre-commencement conditions. Consequently, assuming a start on phase 1 in 2018 and a five year build as indicated by the application documents, we do not consider that phase 3 will be delivered in the five year period and this means 276 dwellings could be delivered in the five year period; a deduction of **153 dwellings**.

OKR 6: 96-120 Old Kent Road (Lidl Store) (capacity = 115 dwellings, 5YHLS = 115 dwellings)

11.61 An application for the new foodstore was refused in October 2015 (LPA ref: 15/AP/2711). There has been no further planning history and the Lidl store continues to operate from the site. Consequently, we do not include this site and this means a deduction of **115 dwellings**.

OKR 7: Former Petrol Filling Station, 233-247 Old Kent Road (capacity = 35 dwellings, 5YHLS = 35 dwellings)

11.62 Whilst a planning application for a mixed use scheme including 23 dwellings was made in November 2016 (LPA ref: 16/AP/4683), it was later withdrawn. The Council's website state that SRIP intends to submit a planning application in 2018 for a 24 dwelling scheme, meaning a deduction of **11 dwellings**.

OKR 8: Kingslake Street Garages (capacity = 29 dwellings, 5YHLS = 29 dwellings)

11.63 Whilst the position statement states that the capacity is 29 dwellings, the draft AAP (page 80) states that the capacity is 22 dwellings. This means a deduction of **7 dwellings**.

OKR 14: Land bounded by Glengall Road, Latona Road and Old Kent Road (capacity = 3,172 dwellings, 5YHLS = 200 dwellings)

11.64 A hybrid application for full planning permission for a mixed use development including 359 dwellings and outline planning permission for 691 dwellings has been made by Berkeley Homes (LPA ref: 17/AP/2773) . It was registered in July 2017 but is pending determination.

11.65 In terms of phase 1, the apartments would be accommodated within three tower blocks (B4 = 40 storeys, B9 = 6 storeys and B10 = 15 storeys).

11.66 The timeline set out on Berkley's website is as follows:

- Spring 2017 – Preparation of planning application;
- Summer 2017 – Submission of planning application;
- Autumn / Winter 2017 – Application determined;
- Spring 2018 – Work commences on construction; and
- 2022 – First residents move in.

11.67 Whilst there may be some slippage, given that the developer does not consider that the residential dwellings will be completed within the five year period to 31st March 2021, we remove this site from the supply. This means a deduction of **200 dwellings**.

OKR 15: Marlborough Grove and St James's Road (capacity = 1,008 dwellings, 5YHLS = 184 dwellings)

11.68 The site referred to as 525-539 Old Kent Road is already included in the supply as a site with planning permission (LPA ref: 14/AP/4905). Whilst some prior approval applications have been made to convert offices on St James's Road, these have also been included in the supply. The redevelopment of the former petrol station for 34 no. dwellings has not been included. The site was granted permission in March 2016 (LPA ref: 15/AP/1705).

11.69 In terms of the wider site, the evidence is that it will not become available until the mid 2020s. Therefore, with the exception of the petrol station part of the site, we do not include the site in the five year supply. This results in a deduction of **150 dwellings**.

OKR 16: Sandgate Street and Verney Road (capacity = 3,047 dwellings, 5YHLS = 200 dwellings)

11.70 We have found no relevant planning applications for this site. There are other large sites with planning permission which will not deliver in the five year period due to phasing, so even if a planning application were submitted and approved imminently, there is no realistic prospect that a site of this size would deliver dwellings in the five year period. In summary, there is no robust, up to date evidence to support the deliverability of this site in the five year period. This results in a deduction of **200 dwellings**.

OKR 17: Devon Street and Sylvan Grove (capacity = 1,506 dwellings, 5YHLS = 180 dwellings)

11.71 The permission referred to at Sylvan Grove is for 80 no. dwellings and is already included in the supply as a site with planning permission (LPA ref: 15/AP/1330). There is no robust, up to date evidence to support the deliverability of a further 180 no. dwellings at this site in the five year period. It should be removed from the five year supply. This results in a deduction of **180 dwellings** in the five year supply.

OKR 19: Hatcham Road and Penarth Street (capacity = 1,285 dwellings, 5YHLS = 200 dwellings)

11.72 A planning application has been made for 86 no. dwellings (LPA ref: 17/AP/3757). It is pending determination. There is no other evidence to support the delivery of further dwellings on this site in the five year period. Therefore, we deduct **114 dwellings** from the five year supply.

OKR 20: Ilderton Road (capacity = 1,024 dwellings, 5YHLS = 200 dwellings)

11.73 No robust, up to date evidence to support the delivery of 200 dwellings at this site before 31st March 2021 has been evidenced. We have found no relevant planning applications for this site. There are other large sites with planning permission which will not deliver in the five year period due to phasing, so even if a planning application were submitted and approved imminently, there is no realistic prospect that a site of this size would deliver dwellings in the five year period. It should be removed. This results in a deduction of **200 dwellings** from the five year supply.

Summary in relation to allocations in the draft Old Kent Road Area Action Plan

11.74 As above, the Council claims that 11 sites allocated in the draft Old Kent Road AAP will deliver a total of 1,800 dwellings in the five year period. We consider that 470 dwellings could be delivered; a deduction of **1,330 dwellings** as we set out in the following table:

Table 11.6 – Summary of deductions on sites allocated in the draft OKRAAP

Site ref	Address	Council 5YHLS	Emery Planning 5YHLS	Difference
OKR2	Crimscott Street and Pages Walk	429	276	-153
OKR5	Salisbury Estate Car Park	28	28	0
OKR6	96-120 Old Kent Road (Lidl)	115	0	-115
OKR7	Former petrol station, 233-247 Old Kent Road	35	24	-11
OKR8	Kingslake Street Garages	29	22	-7
OKR14	Glengall Road, Latona Road	200	0	-200
OKR15	Marlborough Grove	184	34	-150
OKR16	Sandgate Street and Verney Road	200	0	-200
OKR17	Devon Street and Sylvan Grove	180	0	-180
OKR19	Hatcham Road and Penarth	200	86	-114
OKR20	Ilderton Road	200	0	-200
	Total	1,800	470	1,330

Sites identified in the Blackfriars Road Supplementary Planning Document (January 2014)

11.75 The Council claims that 1,934 dwellings will be delivered on 26 sites that are identified in the Blackfriars Road SPD. Paragraph 2.2.1 of the SPD states:

"Figure 6 and Table 1 sets out the potential development sites, illustrating the huge opportunity for change and the need for a coherent framework." (our emphasis)

11.76 Table 1 lists 54 sites along and near to Blackfriars Road. These sites are not allocated, but identified as potential development sites. There are no details in terms of timing or implementation of any of the sites. Consequently, it is unclear how the residential capacity and the number of residential dwellings expected in the five year supply has been calculated.

11.77 The SPD was adopted almost 4 years ago in January 2014. We have reviewed the planning history and position on each of the 26 sites as we set out in the following table:

Table 11.7 – Summary of evidence on sites identified in the BRSPD

Site Ref	Address	Capacity	Council 5YHLS	Comments	Emery Planning 5YHLS
BRSPD1	River Court and Doggetts Coat and Badge Pub	185	185	No residential planning applications have been made. The pub is still in use.	0
BRSPD10	45 Colombo Street	21	21	No residential planning applications have been made. The site is occupied by Blackfriars Medical Practice	0
BRSPD11	34 - 68 Colombo Street	46	46	No residential planning applications have been made. The site is in use as the Colombo Centre gym.	0
BRSPD12	Wedge House, 32-40 Blackfriars Road	37	37	No residential planning applications have been made. Following permission in August 2015, the site is being redeveloped by the	0

Site Ref	Address	Capacity	Council 5YHLS	Comments	Emergy Planning 5YHLS
				Hoxton Group as a mixed use office and hotel scheme (LPA ref: 15/AP/0237)	
BRSPD13	Friars Bridge Court, 41-45 Blackfriars Road	66	66	No residential planning applications have been made. Following permission in November 2016, the site is to be redeveloped for a 21 storey office development with ground floor retail (LPA ref: 16/AP/1660)	0
BRSPD15	Site bounded by Bear Lane, Dolben Street, Chancel Street and Treveris Street	132	132	No residential planning applications have been made.	0
BRSPD17	209-215 Blackfriars Road	22	22	No residential applications have been made. It is in use as an office block.	0
BRSPD18	202-208 Blackfriars Road	25	25	No residential applications have been made. It is in use as an office block.	0
BRSPD19	Site bounded by Gambia Street, Dolben Street and Great Suffolk Street	253	253	No residential applications have been made.	0
BRSPD22	200 Union Street	34	34	No residential applications have been made. The offices have recently been refurbished following planning permission to do so (LPA ref: 14/AP/0809).	0
BRSPD23	Southwark College, The Cut	137	137	No residential planning applications have been made. A planning application is pending determination for a 274	0

Site Ref	Address	Capacity	Council 5YHLS	Comments	Emery Planning 5YHLS
				bedroom hotel at the site (LPA ref: 17/AP/4042)	
BRSPD25	225 Union Street	23	23	No residential planning applications have been made. The site is occupied by the Union Jack pub.	0
BRSPD32	109-115 Blackfriars Road	56	56	No residential planning applications have been made. Permission for the change of use of the retail units to B1 office was refused due to loss of retail (LPA ref: 17/AP/3003)	0
BRSPD33	38-40 Glasshill Street	39	39	No residential planning applications have been made. Planning permission was granted for the change of use of the B1 office to a dance and rehearsal space (LPA ref: 14/AP/4129)	0
BRSPD34	33-38 Rushworth Street	46	46	No recent residential planning applications have been made. It is used as an office.	0
BRSPD35	61 Webber Street	41	41	Planning permission has been granted for a mixed use scheme including 39 dwelling scheme at the site (LPA ref: 15/AP/2705)	39
BRSPD36	63 Webber Street	65	65	No residential applications have been made.	0
BRSPD38	96 Webber Street	12	12	Planning permission was granted for the refurbishment of the building to provide B1 office use and 1 no. dwelling (LPA ref: 14/AP/4129). This has been implemented.	1
BRSPD39	94 Webber Street	6	6	No recent residential planning applications have been made.	0

Site Ref	Address	Capacity	Council 5YHLS	Comments	Emery Planning 5YHLS
BRSPD40	St Georges Health centre 151-153 Blackfriars Road	67	67	No residential planning applications have been made. It is in use as a rehabilitation health centre.	0
BRSPD44	Passmore Edwards Library, 12 Borough Road	25	25	No residential planning applications have been made. Permission has been granted for an extension to the building for education use (LPA ref: 17/AP/3140).	0
BRSPD47	TfL Bakerloo Sidings and 7 St George's Circus	414	414	No residential planning applications have been made.	0
BRSPD49	109 - 112 Chapel Road	27	27	No residential planning applications have been made.	0
BRSPD50	Hugh Astor Court, Thomas Doyle Street	75	75	No residential planning applications have been made. However, an application to demolish 32 flats at the site has been approved (LPA ref: 17/AP/1446)	-32
BRSPD51	28-30 Great Suffolk Street	9	9	No residential planning applications have been made.	0
BRSPD54	65 Glasshill Street	71	71	No residential planning applications have been made.	0
	Total		1,934		8

11.78 We conclude that there is only evidence that 8 dwellings could be delivered on these sites in the five year period. This results in the deduction of **1,926 dwellings** in the Council's supply.

Newington Triangle (capacity = 157 dwellings, 5YHLS = 125 dwellings)

11.79 This site is identified in the Elephant and Castle SPD. Whilst a planning application was made by Peabody in 2014 for a mixed use scheme including 576 residential dwellings (LPA ref: 14/AP/3130), it was withdrawn in May 2016 due to concerns raised by the Ministry of Sound club.

Whilst the press releases at the time explained that Peabody would consider a new application it has not been submitted and therefore there is no evidence to support the delivery of this site, resulting in a deduction of **125 dwellings**.

Summary in relation to sites without planning permission at 31st March 2016

11.80 The Council considers that 6,880 dwellings could be delivered on these sites in the five year period. It has not provided any evidence to support their delivery. Our assessment concludes that the evidence available demonstrates that 1,708 dwellings could be delivered on these sites in the five year period. This position is summarised below.

Table 11.8 – Summary of deductions on sites without planning permission

Status at base date	No. of sites	Council	Emery Planning	Difference
Allocations in the Southwark Local Plan (2007)	6	937	376	-561
Allocations in the Canada Water Area Action Plan (2015)	8	1,054	520	-534
Allocations in the Aylesbury Area Action Plan (2010)	1	71	71	0
Allocations in the Peckham and Nunhead Area Action Plan (2014)	9	959	263	-696
Draft Allocations in the Draft Old Kent Road Area Action Plan	11	1,800	470	-1,330
Allocations in the Blackfriars Road SPD (2014)	26	1,934	8	-1,926
Allocations in the Elephant and Castle SPD (2012)	1	125	0	-125
Total	62	6,880	1,708	-5,172

11.81 Removing these dwellings from the Council's five year supply figure of 18,595 dwellings, means the supply would be 13,423 dwellings.

12. Conclusions

12.1 We conclude that the Council's five year housing land supply is at best 3.75 years as set out in the following table. The reason why we have described the position as "at best" is because our assessment focuses on sites without planning permission. However, from the deductions made to the supply from sites without planning permission, we have already identified a significant shortfall in the five year supply (of 4,473 dwellings).

Table 12.1 – Summary of Southwark Council's Five Year Housing Land Supply at 1st April 2016

	Requirement	
A	Annual requirement (2015 to 2025)	2,736
B	Five year requirement (A x 5 years)	13,680
C	Backlog 2015/16	1,233
D	Total five year requirement (B+C)	14,913
E	Buffer (20% of D)	2,983
F	Total supply to be demonstrated (D + E)	17,896
G	Annual average (F / 5 years)	3,579
	Supply	
H	Five year supply 1 st April 2016 to 31 st March 2021	13,423
I	Years supply (H / G)	3.75
J	Shortfall in the supply (F – H)	4,473

Implications

12.2 We have concluded that the Council cannot demonstrate a deliverable five year supply. Paragraph 182 of the NPPF states that for a plan to be found sound it should (amongst other things) be positively prepared and consistent with national policy. Paragraph 3-033 of the PPG also expects the ability to demonstrate a five year supply to be "thoroughly considered and examined" during the examination of the NSP. The failure to demonstrate a deliverable five year supply would mean that the plan cannot be found sound. It would also mean that in accordance with paragraph 49 of the NPPF, policies for the supply of housing would be deemed to be out of date and therefore the tilted balance to the presumption in favour of sustainable development set out in paragraph 14 of the NPPF would apply.

- 12.3 Whilst we note that the draft NSP includes a number of allocations. Some of these already have planning permission and are therefore already included in the Council's position statement. Others reflect the existing allocations in the various policy documents described in this statement and again are already included within the position statement. However, the Council's five year position statement does not align with the allocations in the NSP and the NSP itself provides no indication of when these proposed allocations will be delivered and specifically whether the Council claims they will be deliverable in the five year period. Furthermore and contrary to the 4th bullet point in paragraph 47 of the NPPF, the NSP fails to provide a trajectory to show how development will be delivered over the plan period to 2033 and specifically the trajectory for the five year period.
- 12.4 As we have already set out above, should the Council choose to publish a revised five year supply position statement, we request the opportunity to comment on it. In the meantime, we conclude that the Council cannot demonstrate a deliverable five year supply of housing land and therefore further deliverable sites are required to address the shortfall.



Appendix II
Proposed Site Allocations



Description:

Situated to the west of Lordship Lane, the site comprises a vacant Public House (Class A4) with substantial ancillary car parking to the west and an area of private outdoor space to the north. The building is not listed, however it is considered by the LPA to be of architectural merit. The property is also situated within close proximity to a Grade II listed building (St Peter's Parish Church to south). The site has a Public Transport Accessibility Level (PTAL) of 3, with Forest Hill Railway Station situated 0.8 miles (16 minute walk) to the southeast.

Site Designations:

The site is situated within Suburban Density Zone South and an Air Quality Management Area. The site is also located within the Dulwich Wood Conservation Area. A number of trees within the site are subject to Tree Protection Orders (TPOs).

Commentary:

The site has been included in the draft Area Visions and Site Allocations document for mixed use development, including the reprovion of the public house, and the provision of approximately 68 residential units. Whilst our client agrees with the proposal for mixed use development on the site, it is considered that the requirement to retain the public house is too onerous, and should instead be subject to viability.

At present, the site is vacant and the public house has been closed since 2013. Therefore, the requirement to reprovide a public house as part of a mixed use scheme may not be economically viable, and could render the scheme undeliverable. As such, we recommend that the allocation is revised to include the **reprovion of a public house subject to viability**. If it is demonstrated that the reprovion of a public house is unviable, our client agrees that the allocation should include the provision of retail floorspace (Class A1/A2/A3).

We would refer to the representations submitted by Stonegate Pub Company, which includes an overview of unsuccessful marketing of the property, reflecting viability constraints to a future public house operation.



Description:

The site comprises a narrow plot of land bisected by two railway viaducts running north to south. The site includes a row of single storey retail units fronting Norwood Road, with a number of light industrial and storage units situated within the railway arches. Croxted Mews to the south of the site contains a number of commercial units arranged around a small courtyard. The site benefits from a PTAL of 5, with Herne Hill Railway Station situated 0.1 miles (2 minute walk) to the north.

Site Designations:

The site is within the Suburban Density Zone – Middle and an Area Quality Management Area. The retail units along Norwood Road are situated within the Herne Hill District Town Centre and are designed as Protected Shopping Frontages. The northern area of the site is partially located within the Stradella Road Conservation Area, and is situated adjacent to the Grade II* listed Half Moon Public House.

Commentary:

The site has been included in the draft Area Visions and Site Allocations document for intensification of existing employment uses to contribute towards the business cluster in Herne Hill, and to provide high quality active frontages at appropriate ground floor locations, including the arches of the railway viaduct, with opportunities to provide Class C3 residential accommodation on upper floors along Norwood Road.

Whilst our client is supportive of the potential for mixed-use development on the site, there is concern for the proposals to provide a public route through the site towards Half Moon Lane. The site is private land which is not publically accessible, and our client intends for this part of the site to remain as private land. It is considered that the improvement of the retail frontage along Norwood Road would have the same effect in connecting pedestrian and cyclists to Half Moon Lane and as such, we would recommend improving the pedestrian and cyclist linkages along Norwood Road, underneath the railway and around Half Moon Lane, and **removing the proposals to provide a public route through the site.**



Description:

The site contains a part one storey, part two storey car garage with associated car parking to the front, and a single storey Class A3 retail unit fronting Half Moon Lane. We have reason to believe that the car garage has ceased trading. The existing buildings are dated, in a poor physical quality, and are not considered to be of any architectural merit. The eastern boundary abuts a railway viaduct, whilst the Grade II* listed Half Moon Public House is situated to the immediate east. As a result of the site's proximity to Herne Hill Railway Station, which is situated 0.1 miles (2 minute walk) to the northwest, the site benefits from a PTAL of 6a.

Site Designations:

The site is situated within the Herne Hill District Town Centre, the Suburban Density Zone – Middle, and an Air Quality Management Area. The site is also located within the Stradella Road Conservation Area and is situated adjacent to the Grade II* listed Half Moon Public House.

Commentary:

The site has been included within the draft Area Visions and Site Allocations document as part of the Bath Trading Estate designation. However, our client wishes to promote the site as a standalone allocation for mixed use development, retaining the existing retail use to Half Moon Lane whilst introducing residential floorspace or a hotel.

As the site is situated within the Herne Hill District Town Centre, the redevelopment of the site to provide a range of uses is acceptable and is supported by saved Policy 1.7. In accordance Saved Policy 1.7, the scale and nature of the proposal would be appropriate to the character and function of the centre, and the existing A Class floorspace would be retained.

At present, the site is underutilised and fails to make the most efficient use of land. The mixed-use redevelopment of the site would improve the vitality of the centre, by introducing suitable town centre uses. As the site benefits from an excellent PTAL of 6a and has direct access onto a classified road, the provision of a number of residential units or a hotel would be suitable in this location. The proposals would also include significant improvements to the existing retail frontage, thereby enhancing the retail offer within Herne Hill.

At present, the garage unit detracts from the setting of the Conservation Area and the Grade II* listed Half Moon Public House. Redevelopment of the site to provide a well-designed, contextually appropriate scheme would significantly enhance the appearance of the Conservation Area and the setting of the listed building.

Having regard to the designated heritage assets and the location of the site, we would recommend allocating the site for **mixed use redevelopment to provide up to 10 residential units or a hotel, in addition to retail floorspace. (Delivery Period: 5 – 15 years).**



Description:

The site consists of a small single storey detached unit currently in use as an artist's studio on a short term lease. The site benefits from a private gated vehicular access onto Champion Hill. The site contains a number of mature trees, with substantial tree coverage along the site boundary. The building is not listed, nor is it considered to be of any architectural merit. However, the neighbouring building to the north is Grade II listed. The site has a PTAL of 5, with Denmark Hill Railway Station situated 0.3 miles (6 minute walk) to the north.

Site Designations:

The site is situated within an Urban Density Zone and an Air Quality Management Area. A number of the existing trees on the site are subject to TPOs.

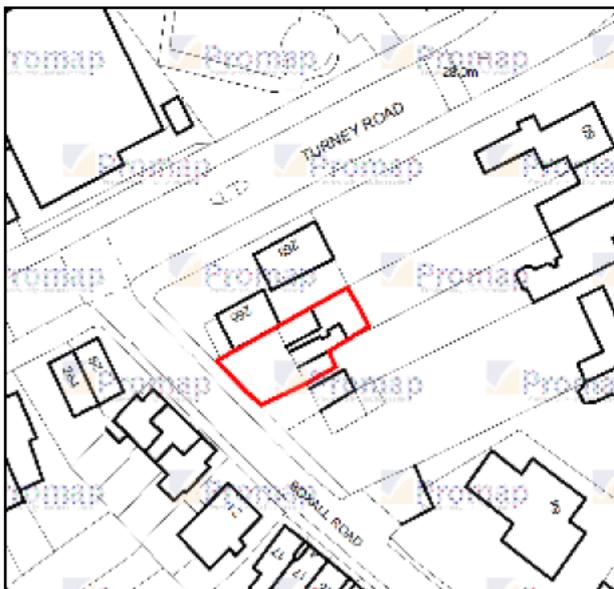
Commentary:

At present, the site is underutilised and of limited benefit, in land use terms, to the surrounding area. The existing occupants are on a temporary lease to occupy the building as an artist's studio. The existing building, which comprises a pre-fabricated hut, is in a poor state of repair. Therefore, the land presents an excellent opportunity for residential redevelopment. The provision of housing would maximise the development potential of the land, in accordance with saved Policy 3.11, and would deliver a number of much-needed residential units towards the Borough's housing supply.

It is a Core Planning Principle of the NPPF that planning should "*encourage the effective use of land by reusing land that has been previously developed, provided that it is not of high environmental value*". This site falls into this category as it is previously developed land with no statutory listing and therefore, it is considered that the principle of residential redevelopment is acceptable.

The redevelopment of the site would be subject to retaining any trees of value.

Therefore, we would recommend that the site is allocated for **residential development to provide 1 – 5 residential units**, either as 1-2 detached or semi-detached units, or a small block of apartment units extending to three storeys. (**Delivery Period: 0 – 5 years**).



Description:

The site comprises three neighbouring single storey garages and a small layby fronting Boxall Road. The garages abut the rear gardens of nos. 52 and 54 Dulwich Village, and the site includes a proportion of the rear garden of no.52. The garages benefit from direct vehicular access onto Boxall Road. The surrounding area is predominately residential, with the neighbouring properties along Boxall Road generally comprising terrace units extending to two and three storeys. The site has a PTAL of 2, with the closest station being North Dulwich Railway Station, situated 0.4 miles (8minute walk) to the north.

Site Designations:

The site is within the Dulwich Village Archaeological Priority Zone, the Dulwich Village Conservation Area, Suburban Density Zone South, and an Air Quality Management Area. Nos. 50 and 52 Dulwich Village are also Grade II listed.

Commentary:

Our client wishes to promote the site for residential redevelopment.

Whilst there is no policy protection of garages or off-street parking in the borough, we acknowledge that the redevelopment of the site would be subject to demonstrating that the loss of the garages, and subsequently the loss of off-street parking, would not have a negligible impact on the local on-street parking network. It is not considered the loss of the garages would impact the on-street parking network. Any planning application would also be supported by a robust Transport Statement demonstrating the transport impacts would be acceptable.

Given the site's location and the need for housing within the Borough, residential development would ensure the most efficient use of the land, in accordance with saved Southwark Plan Policy 3.11 and the NPPF. It is considered that redevelopment of the site would be in accordance with the Dulwich SPD in respect of backland development, as it is on previously developed land, and it would not compromise historic plots that reflect the heritage of the area. Furthermore, as the site abuts Boxall Road, it benefits from adequate convenient and safe access for pedestrians, vehicles and cyclists, with sufficient space available to provide car parking and refuse storage. The large rear gardens of nos. 52 and 54 (which would be largely retained) would ensure that there is no loss of privacy. As the existing garages detract from the setting of the Conservation Area and the listed buildings, the redevelopment of the site presents an excellent opportunity to enhance the setting of the heritage assets.

We therefore recommend that the site is allocated for residential redevelopment to provide 1 – 2 residential units. (*Delivery Period: 5 – 10 years*).



Description:

Located south of Half Moon Lane and immediately adjacent to Judith Kerr Primary School, the site comprises a small flat area of private open space which was granted a Class D1 use in January 2017. Although parts of the site are overgrown, there are various species of mature trees present across the site, with the majority situated along the northern and eastern boundaries. The site benefits from a PTAL rating of 5, with North Dulwich Railway Station situated 0.2 miles (5 minute walk) to the east of the site.

Site Designations:

The site is situated within the Suburban Density Zone – Middle and an Air Quality Management Area. The trees within the site are subject to a group TPO.

Commentary:

The Council has previously identified the site as suitable for residential development.

We are aware that the draft NSP seeks to designate the site as Other Open Space. We do not consider that the designation can be sustained having regard to policy within the National Planning Policy Framework and guidance within National Planning Policy Guidance. The designation does not satisfy criteria within the NPPF required to demonstrate that the site is of special importance to the local community. The Planning Inspectorate has confirmed that, given the NPPF is clear that such a designation is inappropriate for most open space, the local authority must provide compelling evidence to demonstrate that the proposed designation meets the criteria set out in national policy.

The implication of this designation must be considered relative to plan making and achieving sustainable development. The designation would, in perpetuity, restrict any future development of the Site and would undermine planning for sustainable development, as the NSP is required to do.

We recommend that the site is allocated for redevelopment to deliver a 20 one-bedroom unit Almshouse. (*Delivery Period: 0 – 5 years*).



Description:

Situated to the south of Park Hall Road, the site broadly comprises two parcels of land; one faces onto South Croxted Road and one to the rear of this which is accessible from Alleyns Crescent. The South Croxted Road parcel comprises a two storey L-shaped building which steps down to one storey on the southern flank. The structure is surrounded by private open space, secured by a wooden fence. The rear parcel of land comprises an area of open space and a single storey double garage, accessible via a gate from Alleyns Crescent. The site contains a number of mature trees; however none are subject to TPOs. The site has a PTAL of 2, with West Dulwich Railway Station situated 0.4 miles (8 minute walk) to the north.

Site Designations:

The site is situated within Suburban Density Zone South.

Commentary:

Our client is seeking to redevelop the site to provide a mixed-use scheme comprising high-quality retail floorspace and residential accommodation, improving the existing retail offer along Park Hall Road to the north by extending the retail frontage along Croxted Road, whilst providing residential units above or to the rear. At present, the existing use fails to make the most efficient use of land. The existing studio is of poor quality and fails to provide employment floorspace of a sufficient quality. Although the loss of B Class floorspace would be subject to saved Policy 1.4, it is considered that the existing buildings are unsuitable for re-use or redevelopment for B Class use or mixed uses including B Class use, having regard to physical constraints of the existing building, which suffers from poor internal layout.

The mixed-use redevelopment of the site would provide several much-needed residential units in a suitable location, whilst providing additional retail floorspace along Croxted Road, thereby enhancing the retail offer serving the local area. The provision of retail floorspace is also likely to generate significantly greater employment than the existing studio, which would offset any theoretical loss of Class B1 floorspace.

In accordance with London Plan Policy 4.7, any application would be supported by a Sequential Assessment demonstrating that the site represents the most suitable and accessible location for retail floorspace.

As such, we recommend that the site is allocated for **mixed-use redevelopment to include the provision retail floorspace and 1 – 5 residential units (Delivery Period: 5 –15 years).**



Description:

Nos. 83 – 85 comprise three narrow parcels of land abutting an entrance to the Edward Alleyn Club Sports Grounds to the south of Burbage Road. The site currently provides vehicular access to the sports grounds from Burbage Road; however this is due to be reprovided. To the east of the access, two rows of single storey garages exist, which are used for storage purposes and not car parking. The parcel of land to the west is currently used as additional private amenity space for no. 83. The surrounding area is predominately residential, with a mix of detached and semidetached residential units. The site has a PTAL of 1a. North Dulwich Railway Station is located approximately 0.6 miles (11 minute walk) to the northeast.

Site Designations:

The site is within the Dulwich Village Conservation Area, Suburban Density Zone South, and an Air Quality Management Area.

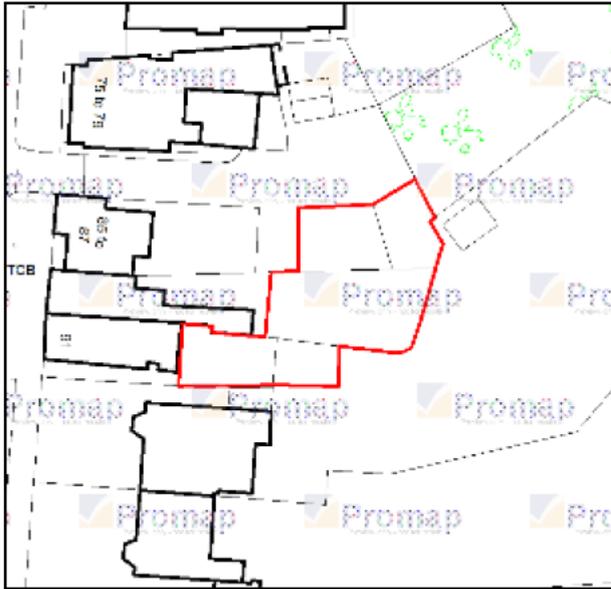
Commentary:

Both the existing garages and the additional amenity space serving no. 83 are underused and do not represent efficient use of land. It is our client's intention to promote the site for residential redevelopment. It is a Core Planning Principle of the NPPF that planning should reuse brownfield land, providing that it is not of high environmental value, as highlighted in Paragraph 17. This site falls into this category it is previously developed land, with no statutory Listing and therefore is not considered to be a site of high environmental value.

The redevelopment of the site would be considered in-fill development, as defined by the Dulwich SPD. The provision of 1 – 2 detached or semi-detached dwellings, set back from the street frontage, would ensure the development follows the existing street pattern to ensure that new development reflects the established urban grain and is in keeping with density and prevailing patterns of development found locally, in accordance with the SPD.

The site already benefits from adequate convenient and safe access, suitable for the entry and egress of vehicles, cyclists and pedestrians, and would not result in a loss of privacy and amenity for adjoining houses and their back gardens. As the garages are not currently in use as parking, it is not considered their loss would have any impact on the on-street parking network.

The site therefore represents an excellent opportunity for redevelopment, and we recommend that it is allocated for residential redevelopment to provide 1 – 2 family dwellings. (*Delivery Period: 5 – 15 years*).



Description:

Located to the east of Dulwich Village, the site comprises several small parcels of land which begin at the rear of 91 Dulwich Village and extend to the car park at the rear of 85 Dulwich Village. Nos. 85 -91 all comprises ground floor commercial units with residential accommodation on the upper floors. The site includes the rear garden of no. 91, an area of additional private amenity space to the rear of no. 89, and a small area of open space and three car parking spaces to the rear of nos. 85 – 87. The private car parking spaces serve the retail units along Dulwich Village, with access to the car park provided from Dulwich Village. The site has a PTAL of 2, with North Dulwich Train Station situated 0.4 miles (8 minute walk) to the north.

Site Designations:

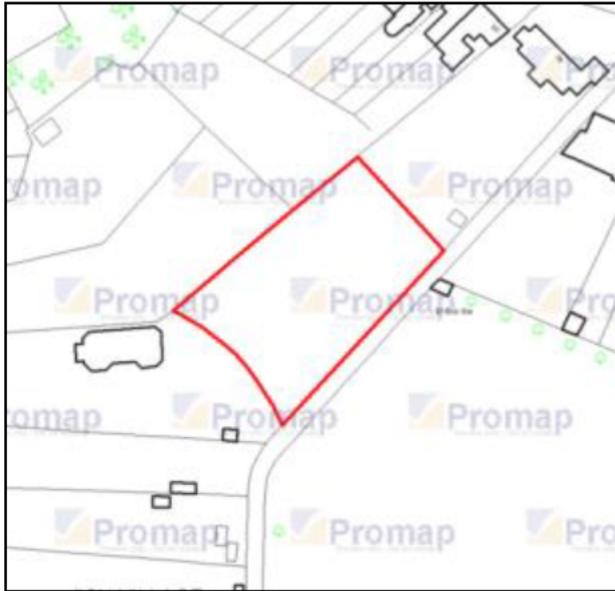
The site is within the Dulwich Village Conservation Area, the Dulwich Village Archaeological Priority Zone, the Dulwich Village Local Town Centre, Suburban Density Zone South, and an Air Quality Management Area. The Crown and Greyhound Public House to the north is Grade II listed.

Commentary:

Our client wishes to promote this site for residential development. Although a small area of the undeveloped land provides additional private amenity space to the rear of no. 91, the majority of the land to the rear of no. 89 is overgrown and not used. Coupled with a growing need for housing within the Borough, residential development would ensure the most efficient use of the land.

The site already benefits from access from vehicular and pedestrian access from Dulwich Village, and a well-designed scheme would ensure that neighbouring amenity is protected, and the character and appearance of the relevant designated heritage assets is protected. It is not considered that the loss of the three car parking spaces would have an impact on the on-street parking provision within the local area and as a result, the loss of parking would be acceptable. To demonstrate this, any application would be supported by a robust Transport Statement and Local Parking Survey.

Having regard to the development pattern along Dulwich Village, it is considered that site would support the development of up to five residential units extending to two storeys. We recommend that the site is allocated for redevelopment to provide 1 – 5 residential units (*Delivery Period: 5 – 10 years*).



Description:

The site is located to the rear of no. 97 Dulwich Village in the London Borough of Southwark. The broadly rectangular site currently serves as additional private amenity space to the rear of the existing garden of no. 97. The site is bounded by the rear gardens of nos. 38 and 40 Court Lane to the east and nos. 95 and 97 Dulwich Village to the west. The land is surrounded by numerous mature trees along the site boundary. Whilst the site does not currently benefit from vehicular access, there is potential to provide vehicular access via the Crown and Greyhound car park to the west of the site. Although the site has a PTAL of 1b, there are several train stations within the locality, including North Dulwich Railway Station, which is situated 0.4 miles (8 minute walk) to the north.

Site Designations:

The site is within Dulwich Village Conservation Area, Suburban Density Zone South, and an Air Quality Management Area. The site is also situated within close proximity to several statutory listed buildings, including nos. 97, 101, 103 and 105 Dulwich Village, all of which are Grade II listed.

Commentary:

Our client wishes to promote the site for **residential development**. As the site comprises underutilised undeveloped land, residential development would ensure the most efficient use of the land, in accordance with saved Southwark Plan Policy 3.11. Having regard to the forthcoming London Plan Review, which is likely to include significantly greater annual housing targets for all London Boroughs, it is considered that the delivery of new dwellings in this location would be a welcome contribution of residential floorspace.

Having regard to the Residential Design Standards SPD, redevelopment of the site would be considered backland development. Although the site does not comprise previously developed land, we believe it represents an exceptional case where residential development would be the most beneficial option. At present, it is secondary private amenity space to no. 97. Therefore, a high-quality residential development which retains the green character of the site would be a sensible proposal, and would not compromise historic plots that reflect the heritage of the area, in accordance with the Dulwich SPD.

The space available for redevelopment and the existing mature tree coverage would ensure that redevelopment would not result in a loss of privacy and amenity for adjoining houses and their back gardens, and suitable space would be available for refuse storage, access (via Crown & Greyhound Car Park to the west) and parking without significant tree loss or harm to the surrounding designated heritage assets.

We recommend that the site is allocated for **residential development to provide one detached unit or two semi-detached units. (Delivery Period: 10 – 15 years).**



Description:

Situated east of Gipsy Hill, the site comprises a small end of terrace unit fronting Gipsy Hill, with a tool sale and hire yard to the rear. The end of terrace unit is a two storey building occupied by a tool sale, hire and repair shop on the ground floor and a dental practice on the first floor. Access to the upper floor is provided by an external staircase accessed from Gipsy Hill to the left of the front elevation, whilst an undercroft opening on the ground floor allows for a narrow vehicular access into the yard at the rear of the site. The yard is of poor physical quality and underused. The majority of the neighbouring properties to the south along Gipsy Hill comprise various retail uses (A1/A2/A3) at ground floor level, with residential use on upper floors. The site has a PTAL of 3, with Gipsy Hill Railway Station is situated less than 70m to the south.

Site Designations:

The site is situated within the Suburban Density Zone South. A mature Horse Chestnut tree on the site is subject to a TPO. Although the site is not situated within a Conservation Area, it is situated adjacent to Gipsy Hill Conservation Area.

Commentary:

It is considered that the site would be suitable for **residential redevelopment**. At present, the site is underutilised and of limited benefit, in land use terms, to the surrounding area. Therefore, the land presents an excellent opportunity for redevelopment. The provision of housing would maximise the development potential of the land, in accordance with saved Policy 3.11, and would deliver a number of much-needed residential units towards the Borough's housing supply.

It is a Core Planning Principle of the NPPF that planning should *"encourage the effective use of land by reusing land that has been previously developed, provided that it is not of high environmental value"*. This site falls into this category as it is previously developed land with no statutory listing and therefore, it is considered that the principle of residential redevelopment is acceptable. Its redevelopment would also be in accordance with the Dulwich SPD guidance on backland development.

Although the existing ground floor use of tool sale and hire is Sui Generis, it is likely that the site would be treated in a similar manner to a B class (or employment-generating) use, due to its industrial nature and similarities to the adjacent site on Colby Mews. However, the loss of the floorspace would be in accordance with saved Policy 1.4, as the site does not have direct access to a classified road and is not within a Central Activities Zone, a Town Centre, an Area Action Core or a Strategic Cultural Area.

Therefore, we would recommend that the site is allocated for **residential development to provide 5 – 10 residential units. (Delivery period 0-5 years).**



Description:

The site comprises a mature garden with substantial tree coverage which serves as additional private amenity space for the occupant of no. 146. It is bounded to the west by a railway line and railway siding. The rear gardens of the dwellings situated along Thurlow Park Road and Alleyn Park abut the site to the north, east and south. Towards the western boundary, a small single storey building exists. Although the occupant of no. 146 currently uses the building as storage space, the building was originally built as an electricity sub-station. The building, which is of a timber-frame and brick construction, was built during the early 1950s however; it has since fallen into a state of disrepair. The site benefits from a private gated access from Thurlow Park Road between nos. 140 and 142, which provides access onto the site via a narrow laneway (approximately 78.6 metres). The site benefits from a PTAL of 3, with West Dulwich Railway Station situated to the immediate west on Thurlow Park Road.

Site Designations:

The site is situated within Dulwich Village Conservation Area and the Suburban Density Zone South.

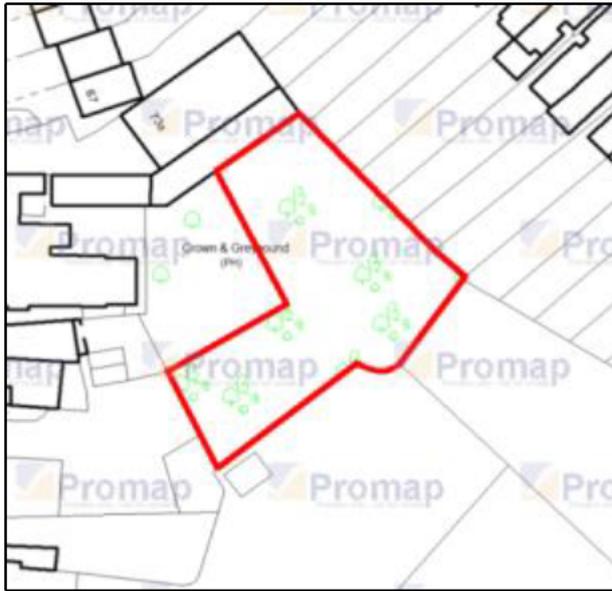
Commentary:

At present, the majority of the site comprises an underutilised private garden which provides additional private amenity space for the occupants of no. 146. However, a former 1950s electricity substation also exists on the site, whilst historic mapping (dated 1886) indicates that the site was formerly occupied by an L-shaped structure and fish pond. It is therefore considered that the appraisal site is, historically, previously developed land with no statutory listing.

Having regard to the existing use and the growing need for housing within the Borough, the site would be suitable for residential redevelopment. The site benefits from a private access from Thurlow Park Road, and substantial tree coverage along the site boundary would ensure the amenity of neighbouring occupants is protected. It is therefore considered that the residential redevelopment of the site would be in accordance with the Dulwich SPD guidance on backland development.

In accordance with the Southwark Residential Standards SPD, which requires backland development to ensure that the development is not more intensive than the existing development on the adjoining street frontage; the site would support the development of 1 – 5 dwellings extending a maximum of two storeys or two storeys with dormers.

As a result, we recommend that the site is allocated for redevelopment to provide up to five dwellings (*Delivery Period: 0 – 5 years*).



Description:

Located to the east of Dulwich Village, the site comprises an area of private open space to the rear of the Crown and Greyhound Public House. The site benefits from mature tree coverage along the site boundary. Access to the site is provided from the car park which abuts the site to the west, which is accessed from Dulwich Village. The site has a PTAL of 2, with North Dulwich Train Station situated 0.4 miles (8 minute walk) to the north.

Site Designations:

The site is within the Dulwich Village Conservation Area, the Dulwich Village Archaeological Priority Zone, Suburban Density Zone South, and an Air Quality Management Area. The Crown and Greyhound Public House to the north is Grade II listed. The site is also subject to a Group TPO.

Commentary:

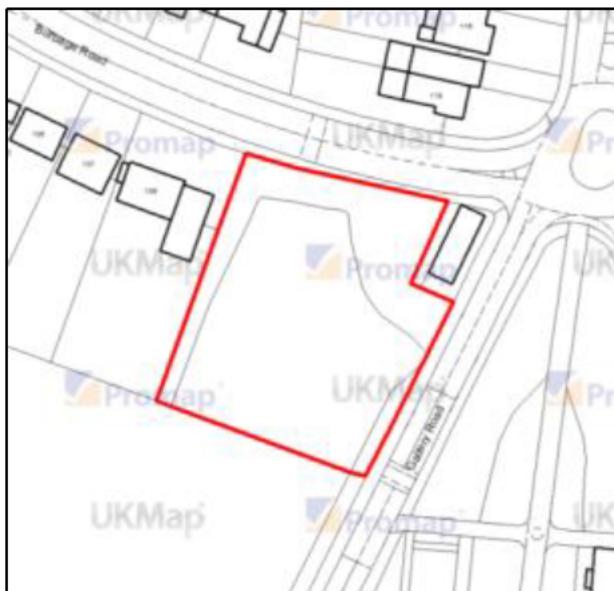
The existing site is unused and is not publically accessible. As a result, our client wishes to promote the site for residential redevelopment.

Having regard to the Residential Design Standards SPD and the Dulwich SPD, redevelopment of the site would be considered backland development. Although the site does not comprise previously developed land, we believe it represents an exceptional case where residential development would be an efficient use of land, taking into account the surrounding character and site accessibility. At present, it fails to make effective use of land and as such, a high-quality residential development which retains the green character of the site would represent a significant improvement on the current use, and would not compromise historic plots that reflect the heritage of the area, in accordance with the Dulwich SPD.

The site already benefits from access from vehicular and pedestrian access from the neighbouring car park, and sufficient space is available to provide refuse storage and car parking. Therefore, a thoughtfully-designed scheme which protects neighbouring amenity and enhances the character and appearance of the relevant designated heritage assets, particularly the Crown and Greyhound Public House, would be in accordance with the guidance within the Dulwich SPD.

Having regard to the Group TPO, any application would be supported by a detailed Tree Survey to ensure any trees of value are retained.

Having regard to the development pattern along Dulwich Village, it is considered that site would support the development of up to ten residential units extending to two to three storeys. We recommend that the site is allocated for **redevelopment to provide 5 – 10 residential units. (Delivery Period: 10 – 15 years).**



Description:

The broadly rectangular site is a historic playing field which forms part of the Dulwich College Sports Grounds Metropolitan Open Land (MOL). The site benefits for substantial tree coverage along the site boundary. Although the site is designated as MOL and is well-maintained, the site is not publically accessible and is no longer in use. The site has a PTAL of 2, with North Dulwich Railway Station located 0.5 miles (10 minute walk) to the south west.

Site Designations:

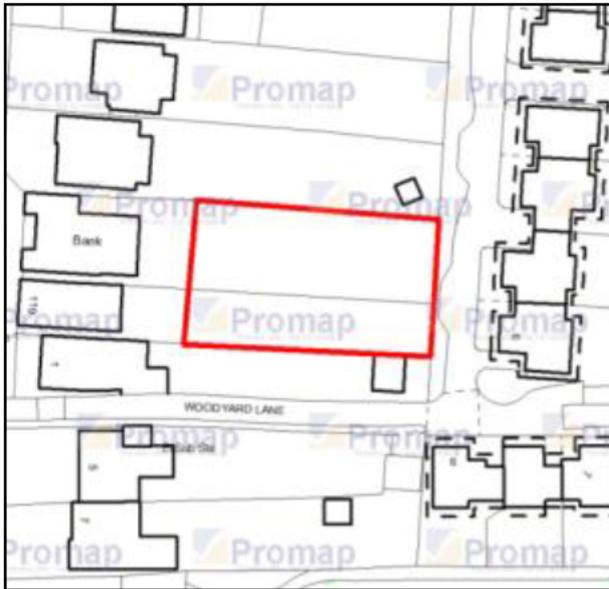
The site is designated as Metropolitan Open Land (MOL). The site is also situated within the Dulwich Village Conservation Area, the Suburban Density Zone South, and an Air Quality Management Area. The Old Grammar School, situated to the immediate east on Gallery Road, is Grade II listed.

Commentary:

Although the site is designated as MOL, it is not publically accessible and has not provided an amenity function for a significant period (since the closure of the school). Although there are several playing fields situated to the immediate south, the site is separated from the fields by tree coverage, shrubbery and a fence line. Our client therefore wishes to promote the site for de-designation as MOL, and proposes residential redevelopment of the site to provide Class C3 accommodation or extra-care housing for the elderly. The retention of significant MOL to the south would ensure the openness and green character of the area is preserved.

The site could accommodate 10+ residential units, or an Almshouse providing a similar number of units. This would ensure that the site contributes a significant number of units towards the Borough's housing stock, whilst retaining the green character of the site. The layout of the site allows development within the centre, whilst those established tree boundaries could be preserved.

We therefore recommend that the site is **de-designated as MOL**, and allocated for **residential redevelopment to provide 10+ residential units. (Delivery Period: 5 – 15 years).**



Description:

Nos. 117 and 119 comprise two neighbouring three-storey buildings fronting College Road both of which benefit from large private rear gardens. Both properties have commercial ground floors, with residential on the upper floors. The gardens are bounded to the rear by Woodyard Lane, with extensive tree coverage along the site boundary. The site has a PTAL of 2. The closest station is North Dulwich Railway Station, located 0.5 miles (10 minute walk) to the south west.

Site Designations:

The site is within the Dulwich Village Conservation Area, the Dulwich Village Archaeological Priority Zone, the Dulwich Village Local Town Centre, Suburban Density Zone South, and an Air Quality Management Area. No. 117 is Grade II listed.

Commentary:

Both properties benefit from large gardens to the rear, which are under-utilised by the upper floor residential occupants of nos. 117 and 119. It is therefore proposed to redevelop part of the rear gardens of both properties to provide a modest residential development fronting Woodyard Lane.

Given the site's location and the need for housing within Borough, residential development would ensure the most efficient use of the land, in accordance with saved Southwark Plan Policy 3.11 and the NPPF. Although the site does not comprise previously developed land, we believe it represents an exceptional case where residential development would be the most beneficial option.

As the site abuts Woodyard Lane, a convenient and safe access could be created for pedestrians, vehicles and cyclists, with sufficient space available to provide car parking and refuse storage. The large rear gardens of nos. 117 and 119 would also ensure that there is no loss of neighbouring amenity, whilst also providing sufficient space to preserve the setting of the listed building.

We therefore recommend that the site is allocated for residential redevelopment to provide 1 – 2 residential units. (*Delivery Period: 0 – 10 years*).

Name: [REDACTED]

Role: Minister

Organisation: Dulwich Grove United Reformed Church

Contact email: [REDACTED]

Address: [REDACTED]

Introduction

The following are comments I wish to make on the proposed version of the New Southwark Plan on behalf of Dulwich Grove United Reformed Church. I wish to appear at any public hearing/oral examination of these issues.

Firstly, I would like to note that members of my church are very concerned about the lack of affordable housing in our community. I am therefore pleased to see the inclusion of Community Land Trust homes in the New Southwark Plan as a recognised ‘Low cost home ownership product’ (pg 24) and as part of the Site vision for site NSP75, saying ‘Redevelopment of the site must:... Provide new intermediate affordable housing through a community land trust.’ (pg 312). I would also like to commend Southwark Council’s ambitious target to deliver 11,000 new council homes by 2043 with the first 1,600 complete or underway by the end of 2018. (pg 8).

This letter is largely in order to comment on one particular site – NSP75: Aylesham Centre and Peckham Bus Garage. This site is of interest to members of my church as many currently shop there or in the surrounding streets. As noted above, we also take an interest in any proposals to increase the supply of affordable housing.

Dulwich Grove URC has been co-operating with our partner organisations in Peckham Citizens in formulating our vision for the site. After speaking to over 1,000 local people, attending all the public consultation workshop held by Tiger, running workshops on issues related to the site, canvassing local residents, shoppers and traders, Peckham Citizens has produced our Citizens Charter. Headline proposals in the Charter are for the following to be delivered on the Aylesham site:

1. Affordable Homes

35% - 50% genuinely and permanently affordable, high quality homes for local people, priced according to local incomes, including social housing and a Community Land Trust.

2. Good Jobs

1 in 3 jobs for local people at all levels of seniority, a fully-resourced, targeted training strategy and all employees on site to be paid at least the London Living Wage.

3. Celebrating Peckham

An open, street-based design that includes a significant public space, protects key, local retailers and reinforces the existing culture, economy and built environment of Peckham, with no building on site at more than 9 stories tall.

4. Community Engagement

A commitment to meaningful community engagement with residents, traders and community organisations throughout the design, construction and management of the project. This should include local stakeholders being part of determining how any Section 106, Community Infrastructure Levy or overage agreement funds might be allocated.

Section 1

There is one item of concern in particular that the following section refers to – the height of buildings on the Aylesham site. Essentially we would like to object to proposals for a high-rise tower block on the site. For our reasons, please refer to the detailed comments below:

Site Specific Policy NSP75: Aylesham Centre and Peckham Bus Station (pg 312-314) is unsound because:

- it is not consistent with the National Planning Policy Framework and has not been positively prepared.

The National Planning Policy Framework states that there is the need for “*early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses*” in order to make a “*collective vision*”.

Peckham Citizens have set up a petition calling for no towers on the Aylesham site but instead “*an open, street-based design that reinforces the existing culture, economy and built environment, celebrating Peckham as it already exists and with no building more than 9 stories tall*”. At the time of writing, the petition has gained nearly 5000 signatures, and this is without any media coverage other than the ‘hyper-local’ newspaper The Peckham Peculiar. In addition to the online petition, signatures have been collected on Rye Lane, at Peckham Bus Station, from the residents on surrounding streets and in local businesses, churches and schools. Almost without exception, people are unaware of the plans for a tall building on this site, and when informed of them, do not support them.

This policy has not been positively prepared because it was not effectively publicised and consulted on. It has been prepared contrary to the prevailing local opinion.

The large numbers of people who have signed this petition show that a tall building is not wanted by the vast majority of people who know, live in and love Peckham. It therefore does not form part of a “*collective vision*” for the site and is not consistent with National Planning Policy.

The Current London Plan (2016) states in point 7.28 that “*The Mayor will work with boroughs to identify locations where tall and large buildings might be appropriate, sensitive or inappropriate*” and the New Draft London Plan states in 3.8.3 that the “*Mayor will work with boroughs to provide a strategic overview of tall building locations across London*”. However there is no evidence to suggest that Southwark Council have worked with the Mayor’s office to determine if the Aylesham Centre

and Peckham Bus Station site is appropriate for tall building(s). Therefore the policy is not consistent with regional planning policy or the National Planning Policy Framework.

The Aylesham site is within the setting of two conservation areas, many listed buildings including the 200 year old Rye Lane Chapel and key unlisted but much loved buildings such as the Jones and Higgins clocktower. The **Current London Plan 7.25** requires that “*Tall buildings be resisted in areas that will be particularly sensitive to their impacts and **only** be considered if they are the most appropriate way to achieve the optimum density in highly accessible locations*”. Therefore the proposed policy is not consistent with regional planning policy.

-it is not justified and has not been prepared positively.

Tall buildings have a number of detrimental effects on the surrounding area and the environment through:

- shading,
- creating wind tunnels and ‘shadows’ that are notoriously hard to predict or mitigate once in place,
- higher energy use, embodied energy and maintenance costs,
- a detrimental impact on small-scale entrepreneurial activity,
- lack of external amenity space and ‘doorstep play’ areas which make them unsuitable for families,
- overlooking and loss of privacy for the existing surrounding buildings, including several streets of two and three storey houses that will be directly adjacent and their private outdoor space easily visible,
- a loss of ‘sky’ for pedestrians, loss of views for the users of nearby buildings and the creation of a feeling of being loomed over can significantly degrade the experience of the public realm and quality of place,
- isolation from the ground making the surrounding area feel less safe and enlivened,
- segregating the wider community by income; essentially becoming a gated community in the sky which limits interaction and social capital across socio-economic groups.

A medium rise development would be more in keeping with the character of the area and would not have the same, far reaching, negative impact of a 20 storey tower. Therefore the proposed policy is not justified as it has not been shown that an equivalent amount of housing could not be created on this site by other forms of development that has less negative impact.

While the **New Southwark Plan Preferred Version Consultation Report** refers to the **Peckham and Nunhead Area Action Plan (PNAAP)** finding the principle of a tall building acceptable on the site, this is based on an outdated urban design study. Public attitudes to high-rise development have shifted significantly in recent years and are supported by the growing body of research that exposes their negative impacts.

As the research behind the principles in the PNAAP is now outdated and they are contrary to national and regional planning policy, they are not justified and should not be used at the basis for further planning policy.

This policy is not justified as the significant harms that would be caused by a tall building on this site have not been identified and the evidence that tall buildings are necessary to achieve

increased density and regeneration has not been presented.

There is a wealth of evidence indicating that tall buildings are not the ideal form of housing for the majority of people, particularly those who are vulnerable, families, those with many health issues or disabilities and those on low incomes. These include a comprehensive literature review by Professor Gifford of the University of Victoria that sought to answer the question ‘are high-rise buildings a net benefit or cost to their residents?’ that concluded “*high-rises are less satisfactory than other housing forms for most people, that they are not optimal for children, that social relations are more impersonal and helping behaviour is less than in other housing forms,*”.

The forms of housing identified as most in need in the **Strategic Housing Market Assessment (Chapter 6, Tables 6.11, 6.14 and 6.15; Chapter 7, Tables 7.1, 7.2, 7.11 and 7.13)**; and the **NSP Proposed Submission Version Policy P1: Affordable homes (pg 21-25); P2: New Family Homes (pg 26); P5: housing for older people (pg 30); P6: Homes for Households with Specialist Needs (pg 31-32); and P13: Residential Design (pg 39-41)** are those least suitable for high-rise development. Therefore this policy is not effective or positively prepared as it does not address this issue.

The NSP Proposed Submission Version has removed the requirement for any meaningful open or public space. The Consultation Report indicates this in response to a respondent who requests that an area equivalent to at least 15% of the site be put aside as open space. This has not been prepared positively and is not justified as it does not explain why the open space requirement has been removed.

-it is not effective.

The proposed policy states that “*the site could include taller buildings subject to consideration of impacts on existing character, heritage and townscape.*” and that “*Careful consideration would also need to be given to the neighbouring residential areas and important local heritage buildings.*” This is not effective because it does not identify what the criteria or methods for assessing the negative impact of a 20 storey tower will be, or what mitigating factors would be expected, effective or acceptable.

The proposed policy does not state what level of harm or benefit for the community would be acceptable considering the negative impacts caused by tall buildings over a wide area and therefore is not effective.

The proposed policy is not effective because it does not identify and define what type and degree of environmental harm would be acceptable or how it should be mitigated on this site.

Changes that would make the policy sound include:

- Revising the policy to reflect current research into the effects of tall buildings.
- Requiring greater public consultation for the aspects of this policy that involve a significant change from the prevailing conditions. This should include leaflets widely distributed including to all residences and businesses in the surrounding area, on-site/street displays that

are held in prominent local locations, publishing in local newspapers, and meetings with local groups, churches, schools, etc., that highlight that this site has been identified as suitable for a tower of 20 storeys and inviting comment.

- Preparing the policy in line with the feedback from an extensive and well-advertised consultation with local residents, businesses and community groups, or justifying why it should not be done.
- Related policy **P17: Conservation areas (pg 44-45)** could be strengthened by changing the wording to include the need for more extensive advertising of and public consultation on proposals that are brought forward that are higher than the prevailing existing townscape.
- Requiring that any proposals on this site must prove that the local housing need (in numbers and type, especially family housing) can only be met by including tall buildings rather than other forms that have less negative impact such as medium-rise developments.
- There should be a presumption stated that forms of building that achieve a similar level of benefit/accommodation but have a lesser negative impact on the surrounding area should be proven to be unachievable before a tall building (with a high level of negative impact) is allowed.
- In order to prevent segregation of the local community and the resultant harm to community cohesion, the policy should require that any development and all the major individual elements (eg buildings) of a development should comply with the relevant assessed housing need in the area, or justify why it cannot.
- Many of the issues that are important are in the Peckham Citizens Charter for the Aylesham site referred to above. This should be included in the consultation document. I would welcome the opportunity to appear at a public hearing or oral examination of the policy for this site.

Kind regards,

████████████████████

Minister

Dulwich Grove United Reformed Church

OBJECTIONS TO NSP SUBMISSION VERSION

Name: Mr David Roberts. Address: [REDACTED]

Email address: [REDACTED] Phone (if you wish): [REDACTED]

I wish to take part at the oral examination/public hearings.

Topic number + name and page number	Objection/ test of soundness	Objection/test of soundness
P52 : Car Parking Page 76	Not fully comprehensive	The policy is unsound as it does not address local circumstances. Proposed Change : The level of on-street provision should reflect car ownership levels in the area, levels of disability and the needs of traders who rely on customers being able to park.
P5 : Housing for older people Page 30	Not fully comprehensive	The policy is unsound as it does not address the issue of down-sizing. Proposed Change : 1 Favour provision of homes suitable for down-sizers. 2. Facilitate down-sizing in situ, i.e. division of homes with surplus space to continue to house older people, while releasing space for families.



Education & Skills Funding Agency

Education and Skills Funding Agency
Department for Education
Sanctuary Buildings
Great Smith Street
London
SW1P 3BT

Tel: [REDACTED]

www.gov.uk/esfa

Our Ref: ESFA/Local Plan/Southwark 2018

5th February 2018

Dear Sir/Madam,

Re: New Southwark Plan

Consultation under Regulation 19 of Town and Country Planning (Local Planning) (England) Regulations 2012

Submission of the Education and Skills Funding Agency

1. The Education and Skills Funding Agency (ESFA) welcomes the opportunity to contribute to the development of planning policy at the local level.
2. The comments provided here follow on from the responses submitted by the ESFA to the two Regulation 18 consultations on the New Southwark Plan.

Comments on the Local Plan

3. The following detailed comments set out the ESFA's view of the plan's soundness in respect of education provision. **The ESFA generally considers the plan to be sound in respect of planning for the provision of education infrastructure, however recommendations have been made to assist the council to more clearly demonstrate that the approach is justified based on proportionate evidence. Recommendations for minor modifications to improve the clarity of some policies are also provided.**
4. The ESFA considers it is important that developers fund the additional school places needed to meet the need generated by new development. In this context the ESFA notes that **Policy IP2 (CIL and s106)** refers to unacceptable impacts of a proposed development being "*offset by using Section 106 legal agreements that either a) requires the developer to offset the impact or b) pay the council a financial contribution to enable the council to offset the impact...*". **The ESFA suggests that to improve clarity the word 'mitigate' may be more appropriate here than 'offset' as planning obligations "assist in *mitigating* the impact of unacceptable development to make it acceptable in planning terms" (NPPG, para 001 Reference ID: 23b-001-20161116; emphasis added).**
5. The ESFA broadly supports **Policy P23 Education places**. However, clause 3 would **benefit from clarification** to make it clear that developers will only be expected to fund the school places required to meet the need generated by their development (to comply with the legal tests for planning obligations). This could be re-worded as follows: "*3 Where additional school places are required to meet the need generated by a new development, the development must provide these by providing new school places.*"

6. The supporting text could then explain how these additional school places could be provided via on-site provision of land and funding of the construction of the school(s), or financial contributions to the delivery of new or expanded schools off-site. The Regulation 123 List indicates that financial contributions to school provision and expansion would generally be secured via the community infrastructure levy (CIL), but land for schools could be secured via section 106. Clear signposting of these mechanisms within the supporting text to Policy P23 would also improve clarity for developers and other stakeholders.
7. The ESFA emphasises the need to ensure that education contributions made by developers are sufficient to cover the increase in demand for school places that are likely to be generated by major developments. Given the multiple demands that will be placed on CIL funds, there is clearly a degree of uncertainty about the extent to which CIL contributions will be sufficient to cover the demand for school places. **It would be helpful if the council could clarify its priorities for CIL funding or give an indication of how CIL funding will be apportioned between different infrastructure types.**
8. **The ESFA supports the continued inclusion of requirements for new or expanded schools in site allocations NSP04, NSP10 and NSP40** and supportive statements on provision of school places in area visions AV.05, AV.06, AV.07, AV.12 and AV.14.

Evidence base

9. The 2017 Primary and Secondary School Place Planning Strategy Update (October 2017) provides a detailed, up-to-date evidence base on school place needs. It acknowledges a future shortfall of primary reception places in two areas:
 - Planning Area 1 (Borough, Bankside and Walworth) from September 2023 onwards (increasing to a 3FE deficit by September 2027 – linked to development along the Old Kent Road.
 - Planning Area 2 (Bermondsey and Rotherhithe) from September 2022 onwards, linked primarily to development at Canada Water (growing to an 11FE deficit by 2031).
10. The Council gives priority to expansion of existing schools and is reviewing opportunities for expansions to close these gaps in future provision. Paragraph 42 of the strategy update states that as part of the Old Kent Road Area Action Plan (AAP) the council will identify suitable sites for new schools, where these are required. These schools could help to address the deficit in both planning areas identified above. The ESFA will provide a separate consultation response on the proposed submission version of the Old Kent Road AAP and the sites allocated therein.
11. The strategy update also identifies a projected future shortfall of secondary places from September 2018 onwards (2-3FE at this time), rising to a peak deficit of 4FE in 2022. The Council has identified a need for some temporary expansions starting in September 2018 (the Council's discussions with schools have identified a high likelihood of 2FE of additional capacity being made available) to address this deficit and a potential need to identify a further site for an expanded or new secondary school towards the end of the next decade. The ESFA accepts that it would be premature to allocate a site in the current local plan to meet this potential longer term need, especially considering that secondary school projections tend to be less certain than primary school

OBJECTIONS TO NSP SUBMISSION VERSION

IP6 Statement of Community Involvement and legal compliance

Name: [REDACTED] Peckham resident
 coordinator of Peckham Vision, a citizens action group, www.peckhamvision.org
 and coordinator of the Southwark Planning Network.

Address: [REDACTED]

Email [REDACTED]

I wish to take part at the oral examination/public hearings.

Topic	Test of Soundness	Objection/Test of soundness
<p>IP6 Statement of Community Involvement and legal compliance</p>	<p>Not legally compliant, Not positively prepared, not justified, not effective</p>	<p>The New Southwark Plan is not legally compliant because it does not comply with the Statement of Community Involvement (SCI). It is also not justified because of failures in the consultation process. This representation therefore responds to both the legally compliant question about the consultation on the preparation of the NSP and also the soundness of IP6 proposing to use the SCI to consult on the implementation of the NSP in the future.</p> <p>The SCI is out of date, not legally compliant and the process of consulting on the NSP has been defective because of this. I took part in the consultation in preparing the SCI and the public hearing around 10 years ago. We objected to it then as we thought it would not serve well, and all our experience since then has proved that. In addition even in its limited form it has not been updated for example in terms of lists of people to be consulted, and it has not reflected the important changes in legal processes relating to the Gunning principles on consultation, the Localism Act 2011, and Southwark Council’s Voluntary and Community Sector strategy ‘Common Purpose, Common Cause’ 2016.</p> <p>The SCI has not been followed in consulting on the NSP, even in its out of date form. Just taking this last stage of consultation the process has been inaccessible and incomplete. In my role as coordinator of both Peckham Vision and of the Southwark Planning Network I can attest through experience especially in the consultation on the NSP submission version how inaccessible the documents and the process have been. It is only through the work of other residents like myself that we have enabled some local people to be able to engage with the process. The information on the web was inadequate and unclear and not timely. We also know from previous stages as well as this one that only a tiny proportion of the local population has any idea that there is this consultation going till we bring it to their attention, and it is not surprising when they do realise it that it is difficult to encourage people to engage it is so inaccessible in terms of getting at the information, its accuracy and meaning when it is accessed.</p> <p>IP6 Statement of Community Involvement not consistent with national policies For the NPS to base its future consultation processes on the SCI, as IP6 does, means that it is not positively prepared, not justified and not effective. It is also not consistent with national policy in its disregard of the Localism Act and the Gunning principles as explained above. It also is not consistent with the NPPF need for ‘early and meaningful engagement and</p>

		<p>collaboration with neighbourhoods, local organisations and businesses. It is particularly deficient in having no effective policy in engaging with the community sector in the form of local organisations and businesses. The policy that has appeared in recent years called Community Conversations is focussed on seeking views from for example casual encounters of individuals in the street and responses to surveys of superficial questions based on little information. This policy has its merits in creating encounters between members of the public and senior officers and elected councillors, and providing an interesting source of new material, and is a useful addition to supplement the effects of the inwardness of the local government system. However to base its main consultation policy approach on that is seriously deficient and ineffective.</p> <p>Proposed changes</p> <p>Changes to make the policy sound would include establishing a genuine collaborative process between the Council and the voluntary sector and local community organisations to develop a way of implementing the Localism Act and the Voluntary and Community Sector strategy in accordance with the Gunning principles. The voluntary and community sectors would have to be engaged with the council collaboratively in designing the process for working together to develop the new collaborative process for it to be effective. To become effective it would have to move on from 'consultation and informing' to co-production as set out in the Voluntary and Community sector strategy. To be effective these discussions would also have to understand the organisational and system differences between the voluntary sector and community sector, and ways in which these can be accommodated in effective collaboration. Some of these are indicated in my paper which was published in 2011, and can be seen here: http://www.birmingham.ac.uk/generic/tsrc/research/below-the-radar/community-engagement-and-the-social-ecosystem-dance.aspx . I will produce further evidence and information for this for the oral examination.</p>
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OBJECTIONS TO NSP SUBMISSION VERSION

Name: [REDACTED], Peckham resident,
 coordinator of Peckham Vision, a citizens action group,
www.peckhamvision.org

and coordinator of the Southwark Planning Network.

Address: [REDACTED]

Email address: [REDACTED]

I wish to take part at the oral examination/public hearings.

Topic	Test of Soundness	Objection/Test of soundness
<p>P1 Affordable homes, P3 Protection of existing homes, P9 Optimising delivery of new homes</p>	<p>Not justified, not effective, not positively prepared</p>	<p>P1 Affordable homes: This policy is unsound because it does not meet housing need in Southwark. The Council say the need is 48%, but say 92% of households in Southwark have an income which requires some form of affordable housing. This is because the threshold to qualify for affordable housing is set at a household income of £90,000 which renders need and affordability meaningless. There is confusion and ambiguity in the various %figures given so that it is not clear what % of new housing is being required as 'affordable'. As 'affordable' is not really affordable, there is a serious overprovision of unaffordable housing and underprovision of genuinely affordable.</p> <p>P3 Protection of existing homes: this policy is unsound as it does not protect existing homes (or businesses) which are on land that developers or planners decide they want to redevelop. This is inconsistent with SP2 giving every community the opportunity to get their voices heard, or it suggests that SP2 is a meaningless right as being heard does not mean protecting the home from demolition.</p> <p>P9 Optimising delivery of new homes: This policy is unsound as it takes no account of the impact of the delivery of new homes on local character, social infrastructure NS green infrastructure. All of these are essential parts of the neighbourhood which are essential for health and wellbeing. The policy is therefore inconsistent with SP2 Social regeneration to revitalise neighbourhoods.</p> <p>Changes proposed to make the NSP sound:</p> <p>P1: There must be a higher policy requirement for affordable housing and particularly social rented housing. The % figures given need to be consistent with each other and with housing need % figures.</p> <p>P3: make use of all the tools that are available to protect and increase social rented housing across the Borough. This includes</p> <p>* An Independent analysis of all regeneration options, with a binding ballot of tenants and leaseholders to decide what regeneration programme goes forward;</p>

		<p>* A <i>social impact assessment</i> so that social, health and wellbeing indicators are incorporated into decision making around regeneration schemes,</p> <p>* Any <i>replacement of social rented housing</i> should be carried out on the basis of like for like in terms of tenure, rental cost and size.</p> <p>P9: The policy should include methods to incorporate existing qualities and diversity of existing neighbourhoods rather than as now eradicate them. Otherwise it is impossible to achieve the SP2 social regeneration that benefits existing residents and neighbourhoods.</p>
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OBJECTIONS TO NSP SUBMISSION VERSION

P14 Tall buildings

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 coordinator of Peckham Vision, a citizens action group, www.peckhamvision.org
 and coordinator of the Southwark Planning Network.

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I wish to take part at the oral examination/public hearings.

Topic	Test of Soundness	Objection/Test of soundness
P14 Tall buildings	<p>Not justified, not positively prepared, not effective, not consistent with relevant policies</p>	<p>This policy is not justified as it Involves a significant policy change on tall buildings with no new evidence to support the change (last research paper was March 2010).</p> <p>Moreover, the policy for tall buildings being sited in Peckham town centre has never been consulted on. It is likely that this is the case with most if not all neighbourhoods in the borough which have been designated as locations for tall buildings.</p> <p>The designation of Peckham apparently first appeared as a plan in the Core Strategy in 2010. I was very involved in the consultations at the time on the Peckham & Nunhead Area Action Plan (PNAAP) and there was no mention in those of a plan to designate Peckham for tall buildings. They first appeared in the PNAAP consultations only in the submission version in 2012. That was very late in the process which had been proceeding for several years, but those who had the stamina to still be involved objected that tall buildings were not appropriate for Peckham town centre as the low to medium rise buildings are an essential part of its heritage, nature and character. We were told that the case against tall buildings could not be considered at the Examination in Public as they were already mentioned in the Core Strategy. 2018 is the first time that the policy on siting tall buildings in Peckham can be questioned in the formal planning policy process. There is ample evidence since 2012 that the local population does not agree that tall buildings enhance Peckham for existing residents and indeed will ruin the distinctive nature and character of the area. This is an example from one neighbourhood of the damaging impacts of a tall buildings policy being rolled out over the borough without justification and evidence that this furthers the health and wellbeing of existing residents. So this policy is not consistent with the new policy SP2 on 'social regeneration to revitalise neighbourhoods'. The policy will in effect do the opposite for existing residents and devitalise them.</p> <p>This policy is not consistent either with the National Planning Policy Framework, through failure to comply with the need for "early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses" so that Local Plans reflect a "collective vision". There is definitely no collective vision in Peckham neighbourhood that supports tall buildings being imposed. We know this is also the case in other neighbourhoods across the borough.</p> <p>This policy is not positively prepared as some aspects of the policy are vague or unclear, for example</p> <ul style="list-style-type: none"> • Not stating there has been a significant policy change which means tall buildings may now be permitted anywhere in the borough, potentially negatively affecting all existing residents.

		<ul style="list-style-type: none"> • Not determining what is “a point of townscape significance” or what is “proportionate” in making decisions. • Not defining what a tall building is and not clarifying what “significantly taller than their surroundings” means. <p>This policy is not effective as it</p> <ul style="list-style-type: none"> • Does not demonstrate how it will measure the increase in the activities and life opportunities on offer for nearby residents, especially existing residents. • Is unclear how it can deliver the identified net increase of ‘affordable’ housing by 799 homes per year. • Fails to take account of the fact and much evidence that increasing density can be achieved also by lower rise buildings. • Gives insufficient consideration to other more effective ways of combating the housing need without introducing negative effects of tall buildings. <p>To make the policy sound:</p> <ul style="list-style-type: none"> • there should be a borough-wide co-production exercise to engage residents effectively in each neighbourhood on the role of tall buildings in their neighbourhood, and to clarify where tall buildings might be appropriate, these locations to be identified on area vision maps and within site allocations; and indicative heights should be given. These locations and indicative heights should be put out for consultation with local residents and businesses. • Make clear that tall buildings will be considered inappropriate in all other locations. • Clarify all vague or unspecified sections, including <ul style="list-style-type: none"> ○ Policy 2.11 reflecting 3.8.4 of the New Draft London Plan and confirm that the space will be truly publicly accessible, for example through a free viewing gallery. ○ References to “criteria” should make clear exactly what those criteria are. <p>A clearer definition of tall buildings to be provided, as indicated by New Draft London Plan Policy D8 part A.</p>
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OBJECTIONS TO NSP SUBMISSION VERSION Policies P16, P17, P18 Conservation & heritage

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I wish to take part at the oral examination/public hearings.

TOPIC Page no, Policy Number + Name	Test of Soundness	OBJECTION / TEST OF SOUNDNESS
P16, Page 44 Listed buildings and structures	Not Effective	<p>This policy is not effective because it does not ensure that the relevant specialist advice on the future viable use of the buildings and structures is available before a planning decision is made.</p> <p>Failure to assess damage to listed buildings at the right time and consult relevant stakeholders and subject specialists will result in important heritage loss. We have had a significant recent example of this in 2017. Harker's Studio in Walworth SE17 – a specially designed building for painting theatre scenery Grade 2 listed - was given permission to be converted to residential, retaining a few of the features. The Council's decision was taken on the basis of an opinion from an organisation that had no expertise in the viability of the studio in the future. After permission was granted, professional actors and scenery makers and users campaigned against the decision on the grounds that the building was indeed viable and needed in London, as such spaces were increasingly scarce. It then became obvious that the right specialists had not been asked for an opinion. Irreparable harm has now been done not only to the heritage asset but also to a viable structure of importance to the theatre industry.</p> <p>Clearly the consultation process in this case was inadequate. The policy needs to have an addition to avoid this happening again.</p> <p>To make this policy sound, an additional point could be added to the policy P16 on the following lines:</p> <p>3. When development is proposed affecting listed buildings and/or structures, a detailed consultation plan, including appropriate specialist assessments and with extended timelines for appraisal, should be presented with planning applications. The specialist interests to be consulted must include users and people and organisations knowledgeable about that industrial sector.</p>

<p>P17, pages 44-45 Conservation areas</p>	<p>Not Effective</p>	<p>The policy is not effective because of conflicting NSP policy that seeks high density residential developments.</p> <p>Currently Conservation Area Appraisals are being ignored when planning applications come up in Conservation Areas, because the pressure to build residential accommodation, even when unaffordable, seems to override. There is nothing new in this policy that would change this status quo. The result of this conflict is that permission is being given for buildings that are out of scale in height and mass with the Conservation Area, eroding its settings, views and compromising historic character and distinctiveness.</p> <p>Some solution needs to be found to this if this policy P17 is to be made effective and sound. One way for example might be to add something on the following lines.</p> <p>3.2 When any developments are proposed that breach the prevailing heights, mass and density in a Conservation Area, this should be subject to additional public consultation before any such developments can be determined.</p>
<p>P18, page 45 Conservation of the historic environment and natural heritage</p>	<p>Not Effective</p>	<p>The policy is not effective because it is inconsistent with national policy in the NPPF which includes heritage assets included on the Local List. It fails to explain how without a Local List, unlisted buildings and heritage assets will be protected and enhanced by new development, and so not able to achieve its aim.</p> <p>The policy recognises the existence of conservation and heritage assets that are not protected under the Planning (Listed Buildings and Conservation Areas) Act 1990 but does not provide for a Local List which is the nationally recognised method for giving them protection. These quotes are from Historic England : https://historicengland.org.uk/listing/what-is-designation/local/local-designations</p> <p><i>“Local lists play an essential role in building and reinforcing a sense of local character and distinctiveness in the historic environment. Local lists can be used to identify significant local heritage assets to support the development of Local Plans. Encouraging the use of local lists will strengthen the role of local heritage assets as a material consideration in the planning process...”</i></p> <p><i>“Moreover Local Lists are usually made very effectively in partnership with local residents through occasional appraisal and/or a nomination system which recognises and takes advantage of local residents’ knowledge, and highlights community value assets. This is invaluable in engaging the local community in the effective conservation of their neighbourhood’s heritage. “</i></p> <p><i>“At its heart, local listing provides an opportunity for communities to have their views on local heritage heard. It recognises that the importance we place on the historic environment extends beyond the confines of the planning system to recognise those community-based values that contribute to our sense of place.</i></p> <p style="text-align: right;">Continued</p>

<p>P18, page 45 Conservation of the historic environment and natural heritage - continued</p>	<p>This was recognised in earlier planning policy documents:</p> <ul style="list-style-type: none"> * The adopted version of the Elephant & Castle SPD from March 2012 states (4.5.12) that "We (Southwark) will be consulting on our local list in summer 2012. The local list will be established through that process". * The Peckham and Nunhead AAP 4.7.12 (2014) states "... we have also identified buildings which are worthy of being added to the council's local list. The local list identifies buildings and structures with local value which make a positive contribution to character or appearance due to Buildings on the local list in Peckham & Nunhead include" The Fact Box Page 98 refers to the NPPF definition of heritage assets including locally listed buildings, and gives English Heritage good practice guidance on the criteria to use to identify buildings and other objects for the Southwark 'Local List'. * The NSP Options version from October 2014, Draft Policies and area visions states – "DM55 Local list buildings and views: Southwark will have a list of locally important buildings, structures and views that positively contribute to local character and amenity. DM55.1 Development must take these locally important buildings, structures and views into account. Reasons: Locally important buildings and views make a positive contribution to local character and distinctiveness, but they do not benefit from a statutory designation. We will prepare a list of locally important buildings and views, and the criteria for their selection as part of a Heritage SPD." <p>There has been no explanation why the provision for a Local List does not appear in the NSP submission version.</p> <p>This policy could be made sound by including in it two additional points to achieve the following:</p> <ol style="list-style-type: none"> 2. Unlisted buildings of townscape merit and undesignated heritage assets identified and gathered in a Local List and allowed the same protection as listed buildings and/or conservation areas. 3. A community engagement policy developed to encourage local neighbourhoods to develop a local process with an existing community group or a new group to nominate buildings for the Local List.
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I wish to take part at the oral examination/public hearings.

Topic	Test of Soundness	Objection/Test of soundness
<p>P19 Borough Views Page 46</p>	<p>Not positively prepared</p>	<p>P19 Borough views</p> <p>This policy is not positively prepared because it does not include protection for the London panorama from the rooftops of the Peckham Multi Storey building and the Bussey Building in Peckham town centre.</p> <p>This view is similar to that from One Tree Hill and Nunhead Cemetery, and both are protected in this policy. The rooftops provide significant viewing spaces for the thousands of visitors who have been visiting Peckham in increasing numbers since 2008 for the leisure facilities in both of these buildings which are at the heart of the growing cultural economy in Peckham.</p> <p>The NSP recognises the importance of the rooftop view from the Bussey Building in the Design and accessibility guidance for the Aylesham centre site NSP 75: <i>“Development massing ... should minimise impact on the view to the City from the Bussey Building rooftop.”</i></p> <p>The view from the Peckham Multi Storey building also needs to be protected. At the time of the consultation on the Preferred Options the NSP allocated the Peckham Multi Storey site and building for redevelopment. Since then the Council has removed the site from the NSP and offered 15 year extensions to the leases for the operators in the building, taking its life until at least 2038 which is beyond the life of the NSP.</p> <p>The Peckham Multi Storey is a Council owned building and so is publically accessible. The Bussey Building is privately owned but the PNAAP4 designation is that the building is identified as heritage value and should continue to be used for creative and cultural enterprises. This means the rooftop is also publically accessible.</p> <p>Policy P14 2.11 provides a planning precedent for this kind of requirement when it requires private buildings to deliver publically accessible space at the top of buildings.</p> <p>This view is of such importance to Peckham social infrastructure and local economy that it needs protection in this policy.</p> <p>Proposed changes to make the NSP sound</p> <p>This Peckham town centre rooftop view should be added as a protected view in P19.</p>

OBJECTIONS TO NSP SUBMISSION VERSION

P30 Town and local centres and P52 Car Parking

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I wish to take part at the oral examination/public hearings.

Topic	Test of Soundness	Objection/Test of soundness
<p>P30 Town and local centres and P52 Car Parking</p>	<p>Not positively prepared, and not justified</p>	<p>These policies are not sound because they do not give appropriate guidance to ensure that a town centre has adequate car parking spaces for its viable functioning.</p> <p>We have the experience in Peckham town centre that planning policies are aiming to reduce the amount of car parking space in individual developments to the detriment of the town centre’s need overall for car parking space both for commercial and shoppers/visitors’ uses.</p> <p>Proposed changes to make the NSP sound: The policy should require an assessment of the impact of a development on the town centre’s overall car parking needs and ensure that individual planning decisions do not reduce the required car parking space and its appropriate allocation within the town centre.</p>

OBJECTIONS TO NSP SUBMISSION VERSION

P44 Community uses

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I wish to take part at the oral examination/public hearings.

Topic	Test of Soundness	Objection/Test of soundness
<p>P44 Community uses</p>	<p>Not positively prepared, not justified and not effective</p>	<p>This policy is not sound because it has omitted a policy to provide explicitly for community social spaces.</p> <p>‘Community uses’ is a term usually meaning mainly institutional places like health centres or sports facilities. The quite different kind of spaces for self managed community groups and activities gets missed out and needs explicit recognition and positive promotion. This links with recognition in the Council’s committee papers of the importance of social interaction in achieving public health and well being, which is part of the SP2 ‘Social regeneration to revitalise neighbourhoods’. This is more than policies for institutional provision but needs the provision of self managed social spaces to enable the community’s own self generated interaction. This might be called ‘community social spaces’.</p> <p>Proposed change to make the NSP sound:</p> <p>There needs to be an explicit policy which meets this important but neglected community need. This might take the form of a definition of ‘community social spaces’ as distinct from this policy P44 for ‘community uses’. This could take the form of an additional suite of development management policies under SP2 ‘Social regeneration to revitalise neighbourhoods’.</p>

OBJECTIONS TO NSP SUBMISSION VERSION

SP2 Social Regeneration to revitalise neighbourhoods

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I wish to take part at the oral examination/public hearings.

Topic	Test of Soundness	Objection/Test of soundness
<p>SP2 Social Regeneration to revitalise neighbourhoods</p>	<p>Not positively prepared, not justified, not effective</p>	<p>This policy is not positively prepared because it fails to relate to all the planning policies which are relevant, fails to show how the redevelopment of physical environments through the proposed policies leads to human health and wellbeing, and does not show how the NSP will translate the development and regeneration policies into being of benefit for existing residents and neighbourhoods.</p> <p>Links between social regeneration and planning policies Linking the idea of social regeneration to physical regeneration is a welcome step towards managing the different departments of the large local government institution in a more joined up way. But the idea was added to SP2 in a consultation just before the submission version consultation, and has not brought about an integration or effective linking of social regeneration policy and development management policies. The Council has acknowledged that it is a late addition and that much work still needs to be done to integrate the two. But that doesn't make it sound. For example:</p> <ul style="list-style-type: none"> • SP2 is confined simply to P11 – P22. All these policies are about the design, construction, conservation and location of physical structures. There is no mention of people and their social relations which are inseparable from social regeneration. Then the monitoring table 4 in Annex 5 is simply about monitoring aspects of the work and programmes relating to those physical structures. There is no monitoring of the impact on people of that work and those programmes. Take for example P14 policy for tall buildings. There is no monitoring of who inhabits the buildings, and the impact on them and their health and wellbeing of living in those structures. • There seems to be no monitoring planned of the impact on social regeneration, health and wellbeing of the human personal, psychological and social stress from the upheaval caused by so much redevelopment imposed across the borough. It is especially significant because the impact will be found in longitudinal studies of the impact on the same individuals over a long time period and not snapshots of the inhabitants of the same place at different times. This is recognised not in the NSP but in a paper to the Health and Wellbeing Board (November 2017) that they should aim to secure funding for a longitudinal study to understand the impact of regeneration on established and new communities over time. But if this understanding is at such an early stage it has not even yet been funded, it cannot be justified to stimulate such massive programmes of physical regeneration across the borough affecting so

many thousands of people in settled neighbourhoods. To be effective the introduction into the NSP of the Social Regeneration policy should have been to slow down the massive physical regeneration programme to learn about its effects on people and their social communities and health and well being.

Links between physical environments and health and well being

It is the case that health is impacted by the physical environment and certain environments will cause sickness. That does not mean that reengineering the physical environment will create health and wellbeing. The famous Peckham Experiment of the 1930s to 1950 explored the factors that cultivate health and wellbeing and showed how the self management of the individual in a self managed **social** context was key to health and well being. The social regeneration policy is not effective because it is too focussed on the engineering of the built environment without adequate attention to the provision of social and physical contexts enabling self management and the nurturing of social relationships.

Regeneration for the benefit of existing residents and neighbourhoods.

This is a welcome though overdue acknowledgement that regeneration can be to the disadvantage of existing residents and neighbourhoods. There is nothing in the NSP which shows that the massive regeneration programmes in the borough are being pursued in a different way to those which have already caused harm to residents whose neighbourhoods have been dramatically changed. This is because the significance of continuity in social relationships as well as physical environments has not been a feature of planning policies. The social regeneration policy is at an early stage and will need to develop a set of policies that reflect this before it can be sound.

One of these policies should be a procedure which requires a physical, social and economic audit before any site is considered for redevelopment. This audit would record the facts of the current condition and uses on the site including the social and economic uses. The audit would also seek the views of stakeholders in the site about the future plans and potential for the existing uses. The report on this audit would be subject to consultation to check the accuracy. This report and the consultation report would form an essential part of any redevelopment proposals and would need to demonstrate that the redevelopment would produce better benefits than the support and nurturing of the current uses.

Community involvement in regeneration

The policy acknowledges that the community needs to be involved in regeneration from the earliest point, to have their voices 'heard'. This is not an implementation of the Council's voluntary and community sector strategy 'Common Purpose, Common Cause' (November 2016). This emphasises the importance of moving on from 'consultation and informing' to co-production forms of working with the community across all the Council's work including planning and regeneration. This must be informed by the 'Gunning Principles' endorsed by the courts. There are no signs yet that there is a co-production policy being developed to enable this in planning and regeneration.

Proposed changes to make the NSP sound

As the Council recognises, the new policy for Social Regeneration needs much further development. This includes:

- The need to take into account the significance of human social relationships to health and well being and, with that

understanding, reassess the impact of policies for such extensive disruption of existing neighbourhoods.

- There needs to be a suite of development management policies to enable social regeneration which would articulate the relationship between social and physical regeneration of neighbourhoods. These would include 'community spaces' to provide activity space for the organised and informal community sector and informal social meeting places.
- The process for engaging existing residents and neighbourhoods needs to be reformed to enable the co-production of planning and regeneration policies required by national policies and the Council's own policies.
- The pace and extent of regeneration needs to be slowed down until those processes have been developed and reformed.
- A process for a physical, social and economic audit report, before any site is considered for redevelopment, should be introduced as outlined above.

I will be able to offer further suggestions by the time of the oral examination as the nature of the Social Regeneration policy and its processes are revealed over the next few months.

OBJECTIONS TO NSP SUBMISSION VERSION

SP4 Strong Local Economy Policies P25 - P41

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Topic	Test of Soundness	Objection/Test of soundness
SP4 Strong Local Economy Policies P25 - 41	Not justified, not effective , not positively prepared, not consistent with national policy	<p>This strategic policy is not sound because it rests on some incorrect assumptions about the way town centres and High Streets work, the relationships between Social Regeneration and the local economy and living neighbourhoods, the role of industrial land in London’s economy, and the nature of work and jobs for a wide spectrum of skills and aptitudes.</p> <p>I have more detailed comments and explanations of this for a number of the policies P25 to P41 which I can expand on at the oral examination and contribute to the discussion. I will be able to make a more detailed comment in the further statement for the oral examination.</p>

Elephant Amenity Network (EAN)**COMMENTS ON THE NEW SOUTHWARK PLAN SUBMISSION VERSION**

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We wish to take part at the oral examination/public hearings.

SP1 Quality Affordable Homes

This policy is unsound because the aspiration to secure 50% of all new homes as affordable will not keep pace with the demand from newly formed households. The Evidence Base estimates that 71% of all newly formed households will be unable to afford open market housing (EB10.12 Affordable Housing Need), with the balance of affordable housing will be supplied by relets from current stock.

To make the plan sound the following changes are needed:

- The 'aspiration' to secure affordable housing to become a fixed threshold, applicable to all developments.
- The percentage of affordable housing required to be set at the percentage of newly formed households unable to afford open markets.

SP2 Social Regeneration

Whilst the social dimension to planning is very important, this policy is unsound for the following reasons:

The important claims to provide the best outcomes for existing residents and to support empowered local communities would be much more meaningful if this strategic policy had been co-designed and co-produced with existing community groups rather than introduced into the NSP at the last moment in a top down manner.

Important community needs are not recognised, particularly the value we give to community spaces. There are major issues with being able to access community meeting space in the Borough that is accessible and affordable. Youth centres have been lost and need to be re-provided.

In terms of the deliverability of this policy, it is unsound that no planning mechanisms are proposed to ensure that regeneration benefits existing residents and that community voices are heard in decision making. To make this policy sound we propose:

- The use of social impact assessments both as an instrument of planning policy and a requirement of major planning applications.
- Work with Universities on longitudinal studies to monitor and evaluate what is really happening as a result to existing residents and businesses as a result of the regeneration. These will be reported annually and look at change over the long term (a minimum of 10 years).

These tools will help ensure regeneration is not equivalent to gentrification nor based on the destruction of council estates or the displacement of small businesses.

The existing diversity of Southwark is highly valued, but too many are under-represented or completely excluded by the current development trajectory. All of the policies in this Plan require differentiation to recognise the specific needs of diverse groups and an approach to empowerment that build solidarities between groups.

Development Management policies need to be revised with targets and precise proposals to ensure each point in this Strategic Policy can be delivered.

NSP Policy P1 AFFORDABLE HOMES

This policy is unsound because 35% affordable housing does not meet housing need in Southwark.

The Council says that only 8% of households have an income which disqualifies them from affordable housing assistance and that 48% are in affordable housing need. By either measure 35% minimum affordable housing is inadequate.

The policy is not 35% of all new housing but 35% of developments of 11 or more homes. The policy fails to provide information on what % of total new build will be affordable, but the small sites allocation of 800 homes per year (see draft London Plan 2017) suggests the real policy figure will be under 30%.

The policy requirement of 25% social rented is under the 33% of households with incomes that qualify them for social rented housing.

Confusion in the Reasons and Fact Box cast doubt on whether the Council intend to deliver 25% social rented homes. Social rent is relabelled as social housing, which in turn is sub-divided into affordable rent and London affordable rent (both at much higher rent levels) as well as social rent. This illuminates why the Council has consistently failed to achieve policy compliance on social rented housing. We note a net loss of 912 social rented units in the latest available comparison between existing and proposed planning approvals (London Plan Annual Monitoring Report 13 Table 3.16).

The transparency and deliverability of the policy is further undermined by too much emphasis (points 7 and 8) on developments achieving policy compliance by providing off-site and in lieu payments. housing on site. This policy creates no go areas for social rented housing, widening spatial inequality in the Borough and is inconsistent with Strategic Policy 2 Social Regeneration.

The prominence given to viability is not qualified with the policy approach required by the Mayor of London, such as the publication of full viability assessments at the time of the validation of planning applications and variations (NB not just the publication of executive summaries) and access to expertise independent of the developer.

To make the plan sound, the following changes are needed:

- Higher policy requirement for affordable housing in general and social rented housing in particular
 - The supporting text and Fact Box to be consistent with the social rented requirement to give confidence that the policy is deliverable.
 - Changes on small sites and viability to bring conformity with the draft London Plan
-

NSP Policy P2 NEW FAMILY HOMES

This policy is unsound as it defines family housing as including 2 bed homes, lacking conformity with the London Plan which says family housing generally has 3,4,5 or more bedrooms.

The policy is not positively prepared as it only requires family homes in major developments, a term which is not explained, and the variations in family housing for central, urban and suburban zones gives policy support for widening spatial inequality. As it stands, there will also be lower proportions of family housing in the areas where majority developments are most likely and thus less effective.

Fewer 3 bed + homes in the central zone and area action plans also means fewer social rented homes in these parts of the Borough. .

The policy does not address the evidenced need for 96% of social rented homes to be 3 bed + (EB10.12 Table 43).

To make the policy sound, table 2 should be deleted and replaced with a policy requirement that the aim is for family housing to be delivered in equal measure across the Borough. The target for 3 bed + homes should be tenure specific so as to meet need.

NSP Policy P3 PROTECTION OF EXISTING HOMES

The policy is unsound because it does not consider the key planning objectives of a) retaining the existing stock of affordable/ social rented housing and b) bringing vacant properties into use, where possible as social rented housing. **It is therefore inconsistent** with current London Plan Policy 3.14 and draft London Plan 2017 Policy H10.

Within the plan, there is inconsistency between this policy and SP2 which emphasises giving every community the opportunity to get their voices heard. There is huge disquiet across the Borough with the policy of estate demolitions, but these voices are not being heard or responded to.

To make the policy sound, Southwark needs to make use of all the tools that are available to protect and increase social rented housing across the Borough. These should include:

- Independent analysis of all estate regeneration options, including refurbishment, with a ***binding ballot*** of tenants and leaseholders to decide what regeneration programme goes forward,
- A ***social impact assessment*** so that social, health and wellbeing indicators are incorporated into decision making around regeneration schemes,
- Any ***replacement of social rented housing*** should be carried out on the basis of like for like in terms of tenure, rental cost and size.

NSP Policy P4 PRIVATE RENTED HOMES

It is unsound to apply the 35% affordable housing requirement differently to private rented homes.

We note that the Private Rented Policy, now P4, has undergone significant changes through the various drafts of the NSP. Hitherto the Council has maintained that Build to Rent schemes were capable of providing the same level and type of affordable housing as Build for Sale schemes. Abandoning this position is not justified by the 'Reasons', which are merely descriptive.

In Policy P4, the affordable housing requirement only applies to schemes providing more than 100 homes. No justification is provided for this.

P4 1.6's clawback mechanism tacitly acknowledges that the 30 year term for securing the homes for the rental market can be breached. The clawback mechanism is not an effective means of ensuring that homes remain in the rental market, against the imperative for a private institutional investor of realising a profit at an early point.

P4 1.6 and P4 1.7 are inconsistent. The minimum 30 year term for securing the homes for the rental market diminishes the likelihood of providing affordable housing in perpetuity and is not effective.

P4 1.7 allows for a different kind of affordable contribution to that of Policy P1 and one that is inferior to that of P1, both in kind (eg social rent and London Living Rent ‘equivalents’) and amount (eg a 12% social rent ‘equivalent’, rather than 24.5% social rent). There is no justification for this. The proportions of social rented and intermediate housing are reversed from that given in P1, also with no justification. (NB consideration of actual planning applications shows that weekly social rent equivalent rents can be £160, £175 and £190 for 1,2 and 3 bed homes respectively compared with target social rents of £97, £111, and £ 124. Social rent equivalent homes would also only have 3 year tenancies).

The assumption of P4 1.7 that a Build to Rent development can generate a higher value than a Build for Sale option further undermines any justification for reducing the social rent requirement for Build to Rent.

The second sentence of P4.17 is difficult to understand. It appears to be an attempt to maximise affordable housing to a level that a Build for Sale option would provide. This could be more effectively achieved by applying Policy P1.

The introduction in Policy P4 of a new rent product called discount market rent further confuses and dilutes the need for genuine social rent homes. No evidence is presented about how large scale private rented sector developments meet housing needs, when their offer is inferior to conventional Build for Sale schemes.

P4 1.8 appears to be tautological. An improvement in scheme viability can only be demonstrated by a viability assessment and will not be apparent without one. The aim of maximising affordable housing requires a fixed timetable of reviews to be effective. We repeat our comment about viability made under P1 here - all full viability assessments should be published at the time of the validation of planning applications or variations (NB not just the publication of executive summaries).

To make this policy sound, the affordable housing offer provided by private rented schemes must be the same as required under Policy P1. The entire Policy P4 must apply to all new private rented housing so that improvements in conditions for private renters, such as longer term tenancies, benefit everyone.

NSP Policy P5 HOUSING FOR OLDER PEOPLE

The policy is unsound because it lacks specific requirements by which the policy can be delivered. All of the following need to be precisely described or measured:

“excellent accessibility and amenity”

“adequate communal areas”

“space for on-site services and facilities”

“good access to local goods and services”

“suitability of location”

The plan fails to plan positively because it does not identify sites where specialist accommodation can be provided. The evidence base does not include monitoring and evaluation of specialist provision over the last 5 years, compared with the target for Southwark in the current London Plan. The policy is inconsistent with the declaration by Southwark of an ‘Age Friendly Borough’.

The policy can be made sound by inserting specific requirements

- to reduce the social isolation of older people
- to move safely and easily around their home and neighbourhood, including how adaptations will be delivered,
- for communal facilities such as lounge, laundry room and space for classes,
- for a social impact assessment before any loss of specialist housing for older people will be considered

(see current London Plan Policy 7.1 Lifetime Neighbourhoods and Draft London Plan 2017 Policy H15 Specialist Older Persons Housing).

NSP Policy P6 HOMES FOR HOUSEHOLDS WITH SPECIALIST NEEDS

This policy is unsound on accessibility issues because all other new build housing must meet requirement M4(2) for accessible and adaptable dwellings. The policy cannot limit itself to 10% of homes dedicated to wheelchair users. Older people must have the choice of remaining in their own homes as their needs change in the future, rather than moving due to inaccessible accommodation.

To ensure wheelchair users have choice within a development, the requirement for wheelchair user dwellings must apply to all tenures and the wheelchair user dwellings distributed to provide a range of floor level locations, views and unit sizes.

We support at least 10% of housing meeting M4(3) and the design and access standards in table 5. However, to be sound the wording in the policy must make clear that step free access in the dwelling (lifts) will be provided.

The policy is also unsound in not including other households with specialist needs. In particular, it fails to either protect existing Gypsy and Traveller sites or plan to meet the need for more Gypsy and Traveller pitches. The Local Authority has failed to carry out a Gypsy and Traveller needs assessment, when this should have been an evidence base document for the Local Plan. The claim from the Local Authority that Gypsy and Traveller needs do not have a place in the Local Plan, because they can be dealt with in a separate document, is discriminatory.

To make the Local Plan sound, it must actively protect existing Gypsy and Traveller sites. It must adopt the new definition for Gypsies and Travellers in the draft London Plan 2017, and use as a Borough target for pitches the midpoint figure of need in Table 3 of the GLA Gypsy and Traveller Accommodation Topic Paper 2017.

NSP Policy P8 SUPPORTED HOUSING AND HOSTELS

This policy is unsound because it only refers to hostels, sets out criteria 2.1-2.3 that are discriminatory (instead of bringing agencies and residents together) and fails to provide evidence on supported housing needs in Southwark.

To make this policy sound, it needs to include move on accommodation and accommodation for young people, rough sleepers, victims of domestic abuse, people with mental health issues, those discharged from hospital with support needs, those leaving prison.

The policy should commit to undertake assessments of the short term and long term needs for supported housing, auditing existing provision, identifying shortages in capacity and then planning to meet this need.

NSP Policy P9 OPTIMISING DELIVERY OF NEW HOMES

The policy is unsound as it fails to balance the delivery of new housing with local character, social infrastructure and green infrastructure. Table 6 and Figure 2 over-develop North Southwark whilst protecting South Southwark thereby increasing the spatial inequality in the Borough

To make the Plan sound, the policy must include details from Lifetime Neighbourhoods Policy 7.1 of the current London Plan. This ensures that new developments build on rather than eradicate the existing qualities and diversity of Southwark's neighbourhoods. It develops inclusive and sustainable communities in which local employment, social and community facilities, parks and open spaces, local services and a wide range of homes are affordable and accessible to everyone. These criteria should be applied equally to residential neighbourhoods in the North and South of the Borough.

NSP Policy P10 SELF AND CUSTOM BUILD

This policy is unsound because it places restrictions on self build and custom build which undermine the potential of this policy to empower local communities. The barriers of providing evidence of financial resources and making efficient use of land and appropriate density (all undefined and unevidenced) should be deleted. Neither criteria are included in the London Plan.

To be sound the principles in SP2 Social Regeneration require a package of support being identified that will empower communities and make this community form of housing

deliverable. This could include working with the Mayor to provide access to expertise, partnering with smaller housing associations, the Local Authority arranging the appropriate checks on land and ensuring the register is fully accessible to community builders, neighbourhood forums and other community interests.

In accordance with the draft London Plan 2017 Policy H2 Small sites, the definition should be widened to include all community forms of housing (housing co-ops, co-housing, Community Land Trusts).

NSP P25 STRATEGIC PROTECTED INDUSTRIAL LAND

This policy is unsound because it:-

- Does not mention or justify the reduction of SPIL designations
- Does not follow through in the site allocations, many of which remove protected industrial sites
- Does not justify the abandonment of Locally Significant Industrial Sites policies and site designations
- Ignores the evidence of need for industrial land in the Borough which would justify more industrial land designation
- Does not confirm with policy in the draft new London Plan

To make the plan sound, it must be based on an objective assessment of the needs of businesses and build in ongoing engagement and collaboration with businesses.

NSP P29 SMALL SHOPS

The policy is unsound, because it sets too high a threshold for the provision of at least 10% small shops. In keeping with other policies in the Plan, the threshold should be 1,000 sqm

To make the policy sound, it also needs to include measures to help strengthen the retail offer of small and independent businesses.

NSP P30 TOWN AND LOCAL CENTRES

This policy is unsound for the following reasons:

We oppose the deletion of East Street as a local centre. East Street is much valued and the significant regeneration that is coming forward should not be based on the loss of its local identity.

We disagree with the elevation of 'Old Kent Rd' to a 'Major Town Centre' which implies the loss of its existing character as a ribbon development. It ignores the high street structure, missing

out on the mix of retail with industrial and other workspaces that support a healthy local economy.

We support the provision of public toilets, but the policy is unsound as it does not include any criteria nor does it require that toilets should be free. This is not in conformity with draft new London Plan Policy S6.

NSP P38 BUSINESS RELOCATION

We support a relocation strategy for small businesses and small shops, but for this policy to be sound it needs to include the following:

- The importance of market traders who should also be protected
- The need for specialist advice and support
- The necessity of a relocation package that includes removal expenses and legal fees
- The importance of maintaining the existing site as an attractive trading environment
- Collaboration with existing traders associations and not limiting collaboration to Council forums.

ELEPHANT AND CASTLE AREA VISION

The proposed vision for the Elephant and Castle is unsound because it has not taken into account the evidence provided by local community organisations and does not ensure sustainable development.

Our vision was developed very carefully through a conference (attended by many local residents and groups).. The vision has been adopted by the Elephant and Walworth Neighbourhood Forum, who discussed it with planning officers at a meeting on 23rd September 2016.

Some of the important issues that are not included in the area vision are:

- The needs of existing residents, ensuring they benefit from regeneration and that they are involved in decision making (the aspirations in SP2 are not reflected in the area vision)
- The priority need for more social rented housing to be met by a 50% requirement and by protecting existing council housing estates
- Increase green space, play space, wildlife habitat and food growing space
- Support community spaces that meet the needs of the diverse communities in this area

Whilst we are pleased that the area vision supports retail diversity and the importance of minority ethnic traders being able to relocate and continue trading, the Plan is unsound because this policy is not followed through in the site allocations.

Comments on all Elephant and Castle sites

The site visions and uses are unsound because they fail to meet evidenced need. To be sound they should be amended as follows:

- When referring to new homes, a significant proportion should be social rented housing.
- Where retail is provided, a proportion of these should be replacement units for traders relocated from site 47.
- Where open space is referred to, this should be described as green space unless there will be hard standing, in which this should be open and transparent
- All sites should include small business space.
- All sites should include community facilities.

In accordance with the Site Allocations methodology paper, we asked for meetings with the Council officers (at preferred options stage) to discuss how these changes to the site allocations could be achieved. We received no response from the Council, which is a further example of consultation failings under the legal requirements.

Site 44 Newington Causeway

The site proposal is not sound because the existing use includes an industrial site and yet there is no requirement for industrial accommodation. To be sound, there should be requirement for a defined minimum amount of industrial accommodation.

Site 47 Elephant and Castle Shopping Centre and London College Communications

To make this site sound:

The vision for the site and the required uses must include replacement affordable retail units for existing traders. The existing distinctive and irreplaceable character of the ethnic and migrant retail should be made clear, as duties apply under the Equality Act.

By not supporting the Latin Quarter, the site allocation fails to follow through on the proposed area vision for the Elephant and Castle.

Affordable housing must be provided that meets the needs of the local population (much of this will need to be social rented housing).

Site 48 London Southbank University Quarter

This site is unsound and should be deleted for the following reasons:

South Bank University is an asset to the Elephant and Castle and we want the quarter to continue in its current form as a fully functioning place of learning.

The listing of the site seems highly speculative, drawing a red line around a substantial part of South Bank University. We note that the size of this site is greater than the combined Shopping Centre and LCC site.

Existing uses and development capacity are deemed to be not applicable.

The assumptions and approach in the mind of officers and other stakeholders should be made open and transparent.

Site 49 1-5 Westminster Bridge Road

This site is unsound and should be deleted for the following reasons:

The description of the site, and the existing uses, fail to mention that the current uses are voluntary sector office and meeting space and an advice service and that the library is the internationally renowned Feminist Library. The consultation is flawed by not drawing to public attention these current uses of the site and the protected status under the Equality Act.

The site will only contribute 7 residential units to Southwark's housing target

We are opposed to the loss of voluntary sector office and meeting space and support existing uses.

OLD KENT ROAD AREA VISION

The plan is fundamentally unsound because OKR is not Central London and the London Plan does not include it in the Central Activities Zone. The OKR is distinctive, and the vision should be to enhance this distinctiveness. A thriving industrial base, genuinely affordable (social) housing, sustainable and diverse communities, migrant and ethnic businesses, a community-oriented cultural offer, a rich network of faith based activity – these are the elements that make the OKR what it is, that make it attractive to the people who live and work here, and that give it a purpose in the wider London economy.

The NSP vision is unsound because it is completely dependent on the Bakerloo Line Extension (BLE). Considering the absence of secure funding for this extremely expensive infrastructural project, we feel that tying the vision to the BLE is far too risky. The proposed construction of more than 20 000 new homes is too high and arbitrary a number. There is no clear explanation of how it was reached, and there has been no discussion around it. It also anticipates an almost complete removal of existing industry. This would be catastrophic for many of the 10 000 jobs in the area

There is no provision for community engagement. Residents, businesses and local groups have the power, desire and knowledge to shape their neighbourhoods, and this should be a central element of the vision.

To make the vision sound, the following changes are needed:

- Maintain the Preferred Industrial Location status for existing industrial clusters. This would preserve the distinctive character of the area and allow the local economy to grow in an organic and flexible way.
- Provide explicit acknowledgement of the unique migrant and ethnic businesses operating in the area, and outline how it will preserve this fabric and comply with Equality & Diversity duties.
- Green infrastructure should be reinforced with new green routes and streets around existing industrial sites, rather than through them.
- Promote the growth of culture and arts by securing affordable and accessible spaces for bottom up initiatives, such as DIY Space for London or OKR Studios.
- Clarify the vision of the OKR as a high street.

Old Kent Road Sites

The following sites have industrial accommodation as an existing use, but this is not included in the site allocation. For the Plan to be sound, these sites should include a defined minimum amount of industrial accommodation. Where these sites include Strategic Protected Industrial Land and Locally Significant Industrial Sites, this use should be retained.

NSP 56 Crimscott Street and Pages Walk
 NSP 57 Mandela Way
 NSP64 Southern Railway Stables
 NSP66 St James's Road
 NSP67 Verney Road
 NSP68 Devon Street and Sylvan Grove
 NSP70 Ilderton Road
 NSP71 Toys are us store
 NSP73 Kwik Fit garage
 NSP74 636 OKR

WALWORTH AREA VISION

This vision is fundamentally unsound as it makes no reference to the Walworth Neighbourhood Plan, which when adopted will provide the planning framework for this area. There is not even any reference to community engagement and collaboration. So the bottom up approach of the neighbourhood plan and the importance of community managed and owned assets is ignored.

Whilst the historic importance of Walworth is acknowledged in the vision, there is no recognition of the wide variety of communities from different ethnic and cultural backgrounds who have made Walworth their home. Nor is there a mention of retaining existing independent shops.

The vision refers to the potential for 4,000 new homes and to address local need 50% of these should be social rented (not social housing, which includes affordable rent and London affordable rent). There is a lack of transparency as to when and where sites will be brought forward for this amount of housing, as only 3 sites are proposed.

Site 84 330-344 Walworth Road

This site should be deleted as it includes a much loved Turkish store. The site selection is unsound as it undermines the local character of the High Street.

creating a better place



Planning Policy
 Chief Executive's department
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 London
 SE1P 5LX

Our ref: SL/2009/104986/CS-05/SB1

Your ref: Email

Date: 27 February 2018

planningpolicy@southwark.gov.uk

Dear Sir/Madam,

Southwark New Plan: Proposed Submission Version

Thank you for consulting the Environment Agency on the above. Having been involved in the previous consultations, we are satisfied that most of our comments have been incorporated in the New Southwark Plan Proposed Submission version.

Overall it appears the New Southwark Plan Proposed Submission version is founded on robust and credible evidence base. The Environment Agency notes that the findings of the sustainability appraisal have been reflected in the document and used to inform the policies.

It is our considered opinion that the proposed plan is consistent with the national planning policy and complies with the legal requirements and appears sound. It meets the legal requirements of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011) and the Town and Country Planning (Local Planning) (England) Regulations 2012 and is positively prepared, justified and effective.

Whilst we support the draft plan we would wish to request the following minor additions and amendments:

Policy P22: River Thames

The policy is well-written with clear recommendations for new developments adjacent to the Thames Tidal Flood Defences. However, we would wish to see the policy aligning the Thames Estuary 2100 Plan (TE2100 Plan). It sets out the strategic direction for managing flood risk across the Estuary, and contains recommendations on what actions we and others will need to take in the short term (next 25 years), medium term (the following 15 years) and long term (to the end of the century). The Plan is based on current climate change guidance, but is adaptable to changes in predictions for sea level rise and climate change over the century.

We support the recommendation in paragraph 1.7, requiring all developments adjacent to defences and culverts to demonstrate that the integrity of the assets will not be compromised and to maintain and improve the Thames Tidal Flood Defences. We would like to see a recommendation that any works within the bylaw distance for a main river (8m for a fluvial river and 16m for a tidal river) may require a Flood Risk Activity Permit (FRAP). For more information on the FRAP process see the link below: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>

The local plan should reflect the TE2100 Plan riverside strategy concept and promote an integrated approach to riverside development that takes full account of future flood risk requirements and opportunities to provide wider environmental enhancements. New

Environment Agency
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INVESTOR IN PEOPLE

developments along the River Thames should incorporate biodiversity enhancements in line with National and London-wide planning policy. Where there is no conflict with archaeological or heritage, river walls that require rebuilding should consider ecological enhancements that provide benefits for the inter-tidal zone.

P69: Reducing Flood Risk

The policy in general is vague and has limited requirement for future developments that will be located in areas at risk of flooding. We would like to see a clear recommendation for all future development located within an area at risk of flooding through a breach in the Thames Tidal Defences. Suggested wording could be:

“All new development located within an area at risk of flooding due to a breach in the Thames Tidal Flood Defences should have finished floor levels set no lower than 300mm above the predicted maximum water level”.

Paragraph 1.4

The plan states that “Development located on sites on or adjacent to the River Thames frontage should be set back from the River defence wall by 10m”. We would like this policy to be worded more strongly so that new development is required to be set back from the defences. This is supported by the TE 2100 Plan.

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The second paragraph under the heading ‘Reasons’ appears to have a mistake. The sentence is “However, by setting development back from the river frontage, however, there are significant opportunities to enhance the Thames Path when new development comes forward”. It looks as though the second ‘however’ should be removed.

Site Allocations

The site allocations make little or no reference to the flood risk that the sites face. We would like to see specific wording incorporated within the site allocations that are at risk of flooding to carry out a site-specific Flood Risk Assessment. This assessment should show that there would not be any adverse impacts upon the occupants of the site and would not increase flood risk off-site.

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

Yours faithfully,

████████████████████
Planning Specialist

Sustainable Places
Kent and South London
████████████████████

████████████████████
████████████████████



New Southwark Plan
 Planning Policy
 5th Floor, Hub 4
 Southwark Council
 PO Box 64529
 London, SE1P 5LX

Our reference: [REDACTED] 5911
 Telephone: [REDACTED]
 e-Mail: [REDACTED]

By email only

26 February 2018

Dear Sir/Madam,

New Southwark Plan - Proposed Submission Version (December 2017) Representations on behalf of Firmdale Holdings Ltd

We write on behalf of our client, Firmdale Holdings Ltd, to submit representations to the New Southwark Plan - Proposed Submission Version – which are provided below.

Firmdale Holdings Ltd

The Firmdale Hotels Group owns and operates 5-star full-service boutique hotels in London and New York. Since opening its first hotel on Dorset Square in London in 1985, Firmdale Hotels has established seven more London hotels and two hotels in New York. Renowned for its excellent and unique style of decoration, the group has won numerous awards including the Queens Award for Enterprise in 2000, 2006 and 2009.

As well creating and operating hotels, the Firmdale Hotels Group has redeveloped the former WWII bomb-site ‘Ham Yard’ in Soho to provide a mixed use scheme incorporating a 91 bedroom hotel with restaurant, 24 residential apartments and 13 bespoke retail stores. Ham Yard has proved to be a great success since completion in 2014 and is widely known as an exemplar for small-scale urban regeneration. Therefore, the Firmdale Group has excellent experience of delivering mixed-use schemes, including residential in London.

Firmdale Holdings Ltd (part of the Firmdale Hotels Group), are seeking to redevelop the Former Car Pound site, Mandela Way, which comprises an open tarmacked area marked out for car parking that extends to 0.73 hectares, as shown on the enclosed site plan at **Appendix 1**.

Firmdale Holdings (part of the Firmdale Hotels Group) acquired the site from the London Borough of Southwark in 2013 in order to establish a purpose-built commercial laundry on the site, with workshops, warehouses and a commercial bakery to service the group’s hotels in Central London. Despite securing planning permission for this new facility in 2015, it has not been built out, as the applicant has reconsidered the development potential of the site following its proposed allocation for mixed use redevelopment in the Draft Old Kent Road OAPF / AAP in June 2016.

Representations

Policy P2: New Family homes

It is acknowledged that there should be a mix of unit sizes within developments and that affordable housing should be provided with minimum level of two and three bedroom homes in order to meet an identified housing need (which is justified by the supporting reasons for the policy). However, the application of a minimum level of 2 and 3+ bedroom units across resident development under draft Policy P2 is considered to be unduly restrictive, by not providing adequate flexibility for private housing to be developed in response to area by area differences, and by limiting the ability to be responsive to changes in demand for homes of differing sizes over time.

By way of example, developments in the area are likely to attract single people and young couples looking for relatively inexpensive new one and two bedroom properties in a relatively central London location. As the community develops and social infrastructure (including schools, nurseries and parks) are completed over time, it will however become more attractive to families, thus generating a greater demand for larger 3 bed+ family units.

Whilst it is acknowledged by draft Policy P2 that reduced provision of 3bed+ homes should be sought in the “Central Zone and Action Area cores”, the requirement of the policy for residential developments to secure a housing mix including “a minimum of 60% with two or more bedrooms” and a minimum of ‘20% 3 bed+ homes’ across all tenures is considered unjustified, unreasonable and unduly restrictive on private housing provision, as it limits the ability for developers to tailor their private housing offer to meet identified needs and requirements.

In order for the vision for the Old Kent Road Opportunity Area to be realised, it is essential that viable developments can be brought forward in the area, in order to secure the delivery of housing, employment, transport and highway improvements and new social and community infrastructure. As private housing is critical to securing viable schemes, it is a significant concern that imposing a blanket requirement for fixed levels of 2 and 3+ bedroom properties from residential development would limit the ability for developments to respond to actual housing need and demand for private sale and private rent accommodation – with potential adverse impact on the viability of residential schemes if the mix of private housing is built to quotas rather in response to actual need and demand.

Accordingly, Draft policy P2 as currently worded is considered to be ‘unsound’ on the basis that the inflexible approach to the mix of units to be secured from private housing development is not justified as the most appropriate strategy, when considered against the reasonable alternatives.

Change sought – It is requested that draft Policy P2 be reworded as follows:

P2: New family homes

Major residential developments, including conversions, must provide a range of unit sizes that incorporates the following housing mix:

1.1 A minimum of 60% with two or more bedrooms for all affordable housing provision; and

1.2 A maximum of 5% studios, which can only be for private housing; and

1.3 The maximum number of bed spaces for the number of bedrooms where they are social rented; and

1.4 A minimum of homes with three or more bedrooms for all affordable housing provision as set out in Table 2 and Figure 1; and

1.5 Family homes in apartment blocks should be on lower floors to improve access to outdoor amenity space and allow oversight of children outside”...

Policy P4: Private rented homes

Policy P4 sets out a series of requirements for new self-contained, private rented homes in developments of more than 100 homes. Within Policy P4, paragraph 1.6 sets out a ‘clawback mechanism’ whereby if “any private rented homes are sold from the private rented sector” before a fixed period of time has expired, this results in penalty charge towards affordable housing. Whilst this approach is accepted as reasonable in principle, the minimum term for all units in such developments to be required to remain privately rented is identified as 30 years. This period of time is considered to be

unduly restrictive with no other options to be applied by the Draft London Plan (at Draft Policy H13).

to be applied by the Draft

A 30 year minimum term is considered to be highly restrictive and is likely to dissuade developers from investing in developments incorporating this relatively new housing product, given the significant uncertainty about its long-term viability and the long-timescales necessary to secure profitable returns for developers.

Accordingly, draft Policy P4 is considered to be ‘unsound’ in that it is not ‘consistent’ as it is not in accordance with the emerging London Plan (which will form part of the development plan for the area), with the lack of evidence to support a 30 year term instead of a 15 year term not adequately ‘justified’.

Change sought – It is requested that paragraph 1.6 of draft Policy P4 be amended to refer to a minimum term of 15 years for new private rented homes to remain in this tenure, rather than 30 years, as follows:

P4: Private rented homes

New self-contained, private rented homes in developments providing more than 100 homes must:..

*...1.6 Be secured for the rental market for a minimum **15** year term. Where any private rented homes are sold from the private rented sector within **15** years this will trigger a clawback mechanism resulting in a penalty charge towards affordable housing; and”.....*

Policy P9 (Optimising delivery of new homes)

Whilst the Draft London Plan has removed reference to the indicative residential density ranges currently detailed in the current London Plan, in order to provide flexibility for proposals to be developed in response to site specific circumstances, draft Policy P9 proposes not only to maintain residential density ranges, but also states that “Development must be within the residential density ranges” other than in “exceptional circumstances”.

Accordingly, Policy P9 as currently drafted is considered to be ‘unsound’ as it not ‘consistent’ with the emerging London Plan (which will form part of the development plan for the area). Furthermore, the alternative approach that of the draft London Plan is not adequately ‘justified’, given the lack of evidence to support the imposition of blanket restrictions on development densities across the borough.

Change sought – It is requested that draft Policy P9 and “Table 6: Residential density ranges” be deleted, as other policies in the draft NSP PSV (including policies in respect of design, amenity and transport) are considered to be sufficient to ensure that delivery of housing will be optimised, without the need for unnecessary and unduly prescriptive residential density ranges to be imposed.

Policy P19: Borough views

Whilst the redevelopment of the former car pound site is to be predominately guided by the emerging Old Kent Road Area Policy Action Plan, it is a significant concern that the redevelopment potential of the site is compromised by the proposed ‘Borough View’ from Nunhead Cemetery to St Pauls Cathedral under draft Policy P19.

The views of St Pauls from Nunhead Cemetery have little historical significance and the cemetery has very low numbers of visitors. The specific viewpoint identified (which has already been compromised by Guy’s Cancer Centre following its completion in 2016) also has no spatial significance (as the location is not at the highest point of the cemetery and St Paul’s is visible only through carefully trimmed foliage, from a bench along one of the Cemetery paths).

Objection has previously been raised in representations to the New Southwark Plan Preferred Option – New and Amended Policies that Southwark’s Development Plan policies should not be applied to secure the protection of long-

distance views to points of interest within the City of London's London View Management Framework (LVMF) (2012) provides protection of important cross-borough views within the city.

The potential impact of formally protecting this largely unseen view under draft Policy under draft Policy P19 of the NSP PSV, with an apparently arbitrary identified viewpoint on the delivery of redevelopment across Southwark, in particular within the Old Kent Road Opportunity Area, is huge.

Allowing the 'linear view of St Pauls Cathedral from Nunhead Cemetery' to protect views of the dome and peristyle to St Paul's Cathedral (as is proposed by the identification of the defining point to set the viewing plane threshold height of 52.1m AOD) would place a limit on height of development of 14-15 storeys, which would be likely to affect circa 16.3 hectares of the Old Kent Road Opportunity Area - of which 7.5 hectares (including the Former Car Pound on Mandela Way) is identified for redevelopment. This would be likely to compromise the delivery of housing on affected these sites and thus compromise the regeneration of the Opportunity Area as a consequence.

In proposing to protect "Borough views", it is also unclear why the landmark viewing corridor from Nunhead Cemetery sets the defining point at St Paul's Cathedral at 52.1m AOD to protect views of both the dome and peristyle to St Paul's Cathedral, when the landmark viewing corridor for the (much closer) view from Camberwell Road (across the Elephant and Castle Opportunity Area) is set some 6m higher (at 58.1m AOD) to protect views of the dome, but not the peristyle. This differentiation is made all the more unclear by the description of the view from Camberwell Road at Annex 4 of the NSP PSV, which identifies "*The Cathedral's dome and peristyle are clearly visible above the existing middle ground townscape and create a distinctive silhouette with clear sky on both sides.*"

Significant concern is expressed as to the specific viewpoint is somewhat arbitrary, with the potential for views of St Paul's from several other locations within Nunhead Cemetery to be enhanced in a similar manner by managing the cutting of grass and pruning of trees, especially given the imposition of special protection for this view will significantly restrict the height of development that can be achieved within the Old Kent Road Opportunity Area.

Draft Policy P19 is considered to be unsound on the basis that there is not a robust and credible evidence base to for the protection of the proposed 'linear view of St Pauls Cathedral from Nunhead Cemetery' to be adequately 'justified'. In its current form the protection of the view from Nunhead Cemetery to St Paul's Cathedral will have significant impact on the ability to realise the vision for the Old Kent Road Opportunity Area to create a new Central London community with 10,000 new jobs and 20,000 new homes. As simply picking a slightly different viewpoint for protection could have significantly less impact on development potential of site across the borough, serious doubt is raised to whether draft Policy P19's proposed protection of the 'linear view of St Pauls Cathedral from Nunhead Cemetery' in its current form represents the most appropriate strategy, when considered against reasonable alternatives.

Change sought – If an existing view of St Paul's Cathedral from Nunhead Cemetery is to be sought under Policy P19, then alternative viewpoint locations must be considered, informed by a recognition that the existing viewpoint is arbitrary and artificially maintained, together with an understanding that slight change in location could have a significantly reduced impact on development potential on site across the borough, in particular within the Old Kent Road Opportunity Area.

Policy P62 (Energy)

Draft Policy P62 requires major developments to reduce carbon dioxide emissions on-site, with non-residential development required to reduce carbon emissions by a minimum of 40% on 2013 Buildings Regulations Part L up to 2019 and be zero carbon (100%) from 1 January 2019 onward.

Whilst the principles of the policy are supported, it is unclear why the draft policy requires carbon emissions to achieve a minimum of 40% on 2013 Buildings Regulations Part L up to 2019, as this deviates from existing London Plan Policy

5.2 (which requires a 40% improvement in energy efficiency) and the London Plan Policy S12 (which requires a 35% improvement on 2013 Building Regulations Part L) which is set out in more detail in the Mayor of London's Sustainable Design and Construction SPD (2014) and "Guidance on Preparing Energy Assessments (2016)."

Accordingly, Policy P62 as currently drafted is considered to be 'unsound' in that it is not 'consistent' with either the existing or the emerging London Plan. Furthermore, the alternative approach is not adequately justified on the basis of any evidence to support a more onerous requirement for carbon reductions from major non-residential development until 2019.

Change sought – It is requested that paragraph 2.2 of Policy P62 be amended to refer to the same carbon reduction requirement for non-residential development until 2019 as the emerging London Plan, i.e. a 35% reduction compared to 2013 Buildings Regulations Part L, as follows:

P62: Energy

... Major development must reduce carbon dioxide emissions on-site by:

2.1 100% on 2013 Building Regulations Part L standards for residential development; and

*2.2 A minimum of **35%** on 2013 Buildings Regulations Part L up to 2019, and zero carbon (100%) from 1 January 2019 onward, for non-residential developments.*

3 Any shortfall against carbon emissions reduction requirements must be secured off-site through planning obligations or a financial contribution...

We trust that these representations will be given due consideration in the preparation of the emerging New Southwark Plan.

If you have any queries, please do not hesitate to contact [REDACTED] of this office [REDACTED] in the first instance.

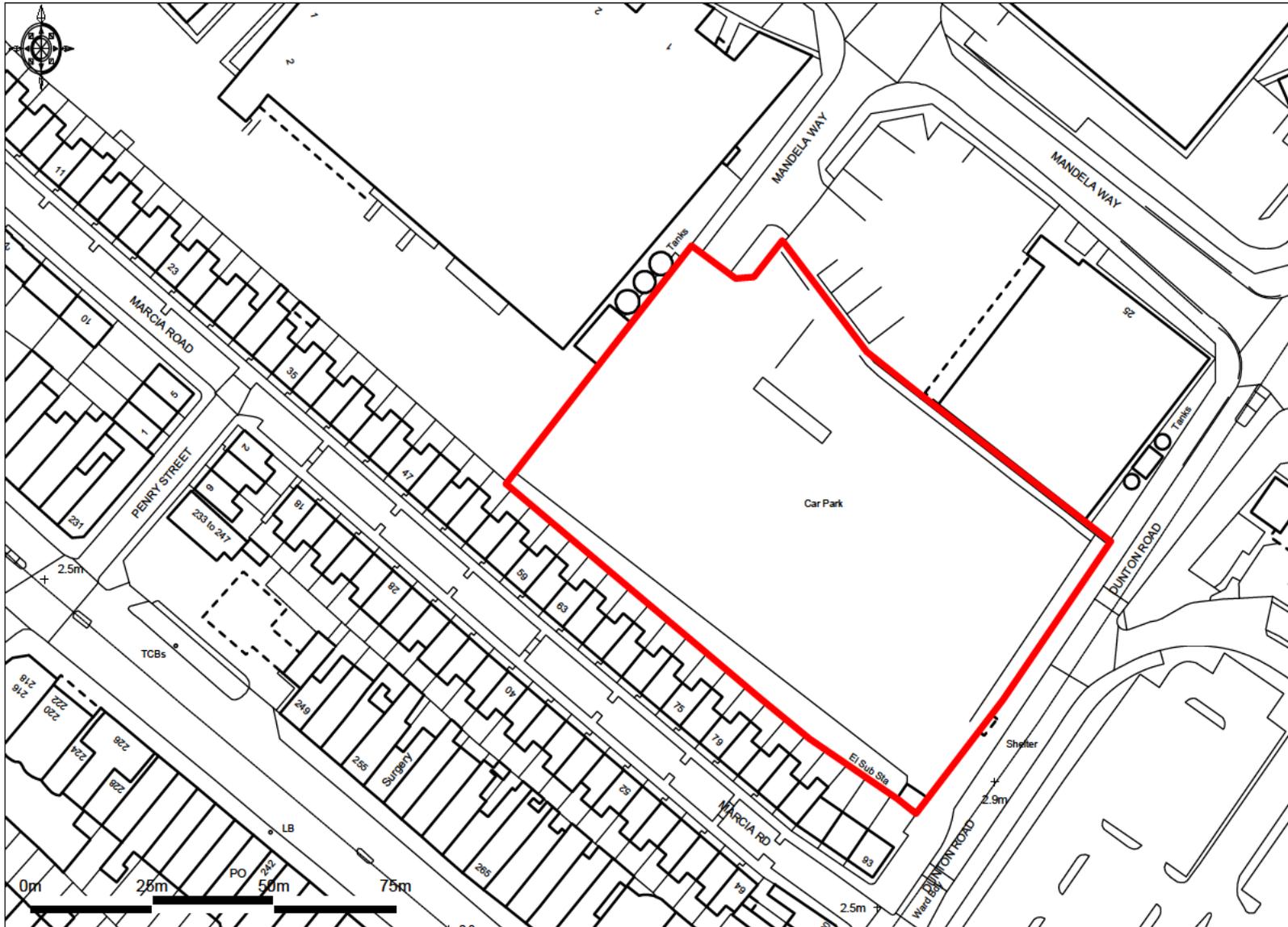
Yours faithfully

[REDACTED]

JLL

Encs.

Former Car Pound Site, Mandela Way, London, SE1 5SS



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Name: Mr Francis Bernstein

Address: [REDACTED]

Email address: [REDACTED]

Phone: [REDACTED]

I wish to take part at the oral examination/public hearings.

Ref: New Southwark Plan: <http://www.southwark.gov.uk/planning-and-building-control/planning-policy-and-transport-policy/development-plan/local-plan?chapter=4>

I have two principle objections summarised below:

Policy Number	OBJECTION 1 DETAILS
<p>Area Visions and Site Allocations Plan with regard to “Kingswood Estate”</p> <p>AV.05.1 Crystal Palace and Gipsy Hill</p> <p>AV.06.1.1 Dulwich</p>	<ol style="list-style-type: none"> 1. Overall, the area visions do not reflect the distinctively different identity of the Kingswood Estate that is relevant to this individual area for which a Visions seeks to address. These proposed policies are not effective for Kingswood Estate. 2. With regard to both area visions, (AV05 and AV06), it is incorrect that the neighbourhood characterised by Kingswood Estate is principally “Dulwich” (AV06). For most people on the Kingswood Estate they rely on cross border service provisions and other essential local amenities from other London Boroughs, and at Gipsy Hill. The Kingswood Estate shares characteristics with the Area Vision of Crystal Palace and Gipsy Hill (AV05). 3. In creating the new area vision for Crystal Palace and Gipsy Hill (AV05) insufficient regard has been made to consider the distinctive needs of the Kingswood Estate. Insufficient evidence base has been provided to justify defining Kingswood Estate to be principally part of “Dulwich” Area Vision.(AV06). 4. Kingswood Estate has some local proximity to West Dulwich, and has a strong functional and local connection with Gipsy Hill and Lambeth services. E.g. the Lambeth provided Paxton Medical Heath Centre at Gipsy Hill is a core service provider. Gipsy Hill is the largest local parade of shops and local amenities is at Gipsy Hill and it’s only local bus services connect with Crystal Palace (Croydon/Lambeth/Bromley) and Sydenham (Lewisham). For many disabled, elderly or inform living closest to West Dulwich shops on the Estate, the walk is too far, and there is no local bus service at their end of the Estate. 5. There are no direct buses or transport links to most parts of “Dulwich” or into Southwark from the Kingswood Estate, so the evidence that the Kingswood Estate community mostly uses, or is served, by “Dulwich” providers appears unjustified. Local transport access better serves other local cross border shopping areas. It is wrong to imply that the community living in Kingswood Estate have their “local shopping centre in Dulwich Village”. 6. For “<i>improvements to local services to meet local needs</i>” the Kingswood Estate Area Vision fails to consider the significance of Gipsy Hill and its cross border situation. 7. Kingswood is amongst the 10% most deprived neighbourhoods in the

Policy Number	OBJECTION 1 DETAILS
	<p>country for: Income, Income Affecting Children, Income Affecting older period (2011 census data). It is unusually isolated from other groups in Southwark, Lewisham and Lambeth by distance. The large estate has local needs are not being properly considered.</p> <p>8. Looking at many essential or local services needs, like access to 24hour pharmacies provisions, combined with its distinctive high deprivation levels, the lack of transport access is a greater concern on Kingswood Estate than other parts of “Dulwich”. The Kingswood Estate estate needs clear and separate planning consideration.</p> <p>9. Presently there are very limited Southwark local medical and GP services in this south end of Southwark, near Gipsy Hill where I live by the Kingswood Estate. Progressively choices are being eroded due to cut back of GP practice boundaries, further reducing choice in health service provisions where I live. Greater long term demands for better and improved cross border functions and collaborative working is needed for the Kingswood Estate neighbourhood.</p> <p>10. I attend regular Kingswood Estate network meetings. Evidence from its stakeholders include:</p> <ul style="list-style-type: none"> • Working cross borough - Some of the vulnerable parents’ GP are based in Lambeth, so their health services would have to be via Lambeth and not Southwark • Dulwich Wood / Kingswood is not the most overall neediest area in Southwark. In practice, the area won’t get as frequent support due to funding cuts, placing greater pressure on local service providers. • Some of health professionals will not cross borough so won’t provide their services out of Dulwich Wood / Kingswood area. • The Estate is one of the most economic disadvantaged (by deprivation level) area Southwark, that means reliance on local services and public transport it relatively greater on this Estate compared most other parts of Southwark or Dulwich. • There is significant (and long term) lack of accessible railway station platform access for the elderly, disabled and infirm for all those on the Kingwood Estate. Combined with its location at the furthest most fringe of Southwark to access core services, this means this neighbourhood area needs specific support from its long term Area Vision.
<p>Suggested changes to Area Visions and Site Allocations</p> <p>“Kingswood Estate”</p> <p>AV.05.1 Crystal Palace and Gipsy Hill</p> <p>AV.06.1.1 Dulwich</p>	<p>To make the policy sound, the NSP should</p> <p>11. Revisit the Area Visions in order to ensure they reflect a “collective vision” in “collaboration with neighbourhoods, local organisations and businesses”.</p> <p>12. Kingswood Estate needs to be additionally shown added to the Crystal Palace and Gipsy Hill area vision due to cross border requirements and proximity to Gipsy Hill for local service provision with Lambeth. Due to the Kingswood Estate’s unique isolation, distinctive character of the Estate, and the local needs of the estate, then potentially a separate Area Vision could be raised for Kingswood Estate. This would give clear support for the Estate and its needs.</p>

Policy Number	OBJECTION 2 DETAILS
<p data-bbox="145 253 389 286">P56: Open space</p> <p data-bbox="145 322 336 421">Long Meadow (OS184) designation.</p>	<p data-bbox="528 253 1485 353">13. I object to the designation for Long Meadow (OS184) at Gipsy Hill. I advocate this green area to be re-assessed as Metropolitan Open Land (MOL) or as Local Green Space.</p> <p data-bbox="480 389 1509 555">14. I have lived by this local green area for over 50 years. Over all this time the area has always been used like a village green for the outdoor enjoyment and recreation by local residents on this open green area. The long standing special nature of this area is not sufficiently safeguard by designating as BOL and Site of Importance for Nature Conservation.</p> <p data-bbox="480 591 1485 757">15. This unique local open green space warrants special protection, as it is of particular and very special local importance. To provide an enduring and appropriate green space designation it warrants consideration for a very high threshold of importance akin to that of Green Belt or MOL or Local Green Space.</p> <p data-bbox="480 792 1509 857">16. A further needs assessment of local green and open space to inform policy is advocated.</p>

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New Southwark Plan Consultation
FREEPOST SE1919/14
Chief Executive's Department
5th Floor Hub 2
Southwark Council
London
SE1P 5LX

19th December 2017
REF: HGHL1003

Dear Sirs,

RE: New Southwark Plan: Proposed Submission Version – Informal Consultation

These representations have been submitted by HGH Planning on behalf of the freehold owners of River Court and the Doggett's Coat and Badge Public House ("the Site") in response to the informal consultation on the proposed submission version of the New Southwark Plan. They should be read in conjunction with our previous representations which have already outlined the suitability of the site as a strategic allocation in the New Southwark Plan.

The Site

The Site occupies a strategically important gateway site, adjacent to Blackfriars Bridge, and directly fronting the River Thames. Both buildings comprise concrete structures built in the late 1970's as part of the larger King's Reach development designed by R Seifert & Partners. Originally designed as a hotel, the building was later given over to offices but now forms private residential accommodation of up to 12 storeys with some private amenity space and basement parking. The public house comprises a four storey building adjacent to Blackfriars Bridge with some terracing running along the River Thames walkway. Neither building is of architectural merit, and neither has aged well. Indeed, it is fair to say that both buildings look rather dated in comparison to the newer structures (built and permitted) nearby.

Policy Context

The site is located within both the Central Activities Zone ("CAZ") and the Bankside, Borough and London Bridge Opportunity Area ("BELBOA") as identified by the London Plan (March 2016). This is therefore a location where massive change is already under way as evidenced by a number of existing consents and construction activity for various major developments.

The site is thus located within the Blackfriars Road area of the emerging New Southwark Plan which states:

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"Blackfriars Road is part of central London and will provide many new homes, commercial spaces and other uses on major development sites as well as on smaller sites."

Further to this, the site is specifically identified as a "potential development site" within the Council's Blackfriars Road SPD and there are no obvious planning or other constraints to its redevelopment.

Development Potential

The site provides a fantastic redevelopment opportunity for a high-quality, mixed-use development that contributes positively to the emerging cluster of development in this important location, whilst also making the most efficient use of its space and maximising benefits to the public. These benefits include:

- a) A high-quality work of architecture;
- b) Replacement of the existing public house on-site, with a modern, attractive and functional public house designed to reflect the local historic context but with a prominent design;
- c) Considerable public realm improvements, including:
 - Enhancement of the Thames Path;
 - Better vertical connectivity between the Thames Path and Blackfriars Bridge;
 - Creation of a public outdoor space;
 - Public performance space, representing a new destination;
 - Public terraces enabling enjoyment of celebrated views towards the City, St Paul's and the Temple;
- d) A significant number of residential units, including affordable housing; and
- e) The introduction of other uses, potentially generating jobs and broadening the mix of uses in the locality.

Therefore, the site represents an as-yet, unexploited opportunity to contribute to the prominent regeneration process in this part of Southwark, in line with adopted and emerging policy. Given this, it is somewhat peculiar that the site is not included as a key development site within the proposed submission version of the New Southwark Plan. It is therefore requested that, given the site's obvious suitability for development and the potential contribution it has to make to the regeneration of Blackfriars Road, that the Council include the site as a key development site within the New Southwark Plan.

Summary

For the reasons outlined above, our client is of the strong opinion that the River Court and the Doggett's Coat and Badge Public House site represents an excellent development opportunity and should be included as a key

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development site for Blackfriars Road in the emerging New Southwark Plan. The site holds a sustainable and accessible location within the CAZ and BBLBOA and is suitable for mixed-use or residential development to complement the extensive development that is currently taking place along Blackfriars Road. Furthermore, it can bring substantial benefits to the area.

We therefore request that the site be included as an allocation within the New Southwark Plan. Formal representations will be made in the New Year that specifically address the issue of "soundness".

Should you wish to discuss matters further in the interim, please do not hesitate to contact me via the details below. I look forward to hearing from you.

Yours faithfully,

A large black rectangular redaction box covering the signature area.A black redaction box covering contact information, with a horizontal line extending to the right from the bottom edge.

OBJECTIONS TO NSP SUBMISSION VERSION

Insert personal details: [REDACTED], on behalf of Friends of Burgess Park

Name and address email and phone no: [REDACTED]

Say if you wish to take part at the oral examination (public hearings). Yes

<p>TOPIC Page number, Policy Number + Name OR Site Number + Name</p>	<p>Test of Soundness to which objection relates</p>	<p>OBJECTION / TEST OF SOUNDNESS Give details of why you consider this part of the NSP to be unsound or not legally compliant. State which test(s) of soundness your objection relates to, e.g. <i>"The NSP is not sound because it is not effective. It has not included the participation of the local community and stakeholders in the area" OR eg "It has not considered a better plan to achieve the policy." – <u>and then give examples and develop the objections further.</u></i></p>
<p>Camberwell Area Vision Page No. 163</p>	<p>Not Justified</p>	<p>The Camberwell area vision is not justified because it has insufficient evidence on the character of the townscape and therefore the suitability of tall buildings.</p> <p>The Camberwell area vision does not provide sufficiently detailed guidance and sufficient area context when read in conjunction with policies on Design of Places D11 and Tall Buildings P14.</p> <p>The Camberwell area vision’s main focus is the town centre and does not set out sufficient detailed overview on how tall buildings are implemented into the Camberwell area; the town centre and beyond.</p> <p>The majority of the Camberwell area is houses and low rise flats with a few tall tower blocks. Additional tall buildings will need to be carefully sited and with appropriate building mass to fit into the urban street scape. This is especially important to be considered with the Georgian and Victorian heritage of the area and industrial heritage.</p> <p>The new draft London Plan 2017 (page 100 figure 7.4 Outline character map of London) indicates that Southwark benefits from Georgian planning and growth and Victorian entrepreneurship. Both are relevant to the Camberwell area and are positive heritage assets.</p> <p>The interesting mix of design and historical developments varies across the area and within Camberwell there are distinct neighbourhood characters very close to each other eg Wells Way Triangle; Camberwell Town Centre; Brunswick Park to name a few areas. The Camberwell Area Vision does not recognise these distinctive local areas; street and buildings designs which reflect London historic development.</p> <p>Any new buildings will need to respond to the existing character with appropriate massing and height around listed buildings, conservation areas, parks and open spaces.</p> <p>Alternative wording for the Camberwell Area Vision should state that tall buildings over 30 meters are not suitable for the south side of Burgess Park.</p>

<p>Camberwell Area Vision</p> <p>Page No. 163</p>	<p>Not justified</p>	<p>The Camberwell area vision is not justified because it has insufficient evidence and detail on local distinctiveness and heritage regeneration as stated as a priority in SP2 Social regeneration to revitalise neighbourhoods.</p> <p>The northern part of Camberwell around Burgess Park and then up to the Elephant and Castle has seen waves of regeneration during the twentieth century which have left very little in the way of local distinctiveness and heritage.</p> <p>The Camberwell area vision is not an isolated island and must make appropriate linkage to the areas around it. This is particularly so for the Burgess Park area which sits between the districts covered by the area visions.</p> <p>Recent consultation undertaken by Southwark Council (2015) to assess the impact of the Burgess Park revitalisation (2012) identified the strong local interest in the heritage of the park and the importance of retaining features which located the park within its industrial heritage.</p> <p>This is especially important to be considered with the Georgian and Victorian heritage of the area and industrial heritage. The new draft London Plan 2017 (page 100 figure 7.4 Outline character map of London) indicates that Southwark benefits from Georgian planning and growth and Victorian entrepreneurship. Both are relevant to the Camberwell area and are positive heritage assets.</p> <p>Alternative wording for the Camberwell Area Vision should specifically identify that the area around Burgess Park should retain buildings which evidence the historic industrial landscape.</p>
<p>Camberwell Area Vision</p> <p>Page No. 163</p>	<p>Not justified</p>	<p>The Camberwell area vision is not justified because it has insufficient evidence about existing townscape, character and context to ensure that height scale, massing and arrangement respond positively to the existing townscape and character as required by Policy 11 Design of Places.</p> <p>There are a number of well-loved local landmarks which are distinctive features on the skyline and contribute to the overall character and sense of place: three examples are St Giles' Church spire (Peckham Road), St George's Church belfry and the chimney of the old bath and washhouse (Well's Way). Many properties across Camberwell will have line of sight to these important buildings.</p> <p>The importance of retaining and creating views and vistas to local landmarks and green spaces needs to be more positively stated than currently.</p> <p>The height and massing of buildings along the south side of Burgess Park should be specified in the Camberwell Area Plan to take account of the narrowness of the park and to avoid the park being dominated by tall buildings on all sides.</p> <p>The Camberwell area vision describes the park and should include additional wording: Burgess Park is an important green space in central Southwark. Due to its narrow width it is not appropriate for it to be ringed with tall building. Tall buildings are current located at the west end of Burgess Park along Walworth Road and the east end of the park on Trafalgar Avenue. Tall buildings are also along the norther boundary on Albany⁴¹⁰</p>

		Road (Aylesbury Estate and the planned new developments already approved). Buildings along the south side of Burgess Park should not exceed 30 meters.
Burgess Business Park site allocation Site No. NSP 23	Not effective	<p>The Burgess Business Park site allocation description is not effective because it does not provide sufficient local context to interpret the design policies and tall buildings policies in relation to the redevelopment of the site.</p> <p>The immediate area around the Burgess Business Park has diverse neighbourhoods and land use of strikingly different character: adjoining this part of Burgess Park, the Georgian Addington Square and Victorian Evelina Mansions are cheek by jowl with the new high density Camberwell Fields development, which itself neighbours the remaining Victorian housing on Southampton Way and the light industrial units on Parkhouse Street. This variety in the fine grain of the neighbourhood would be swamped by a large and monolithic design across the site.</p> <p>The existing buildings along the southside of Burgess Park are a maximum of seven storeys. This height is replicated across the Camberwell area between the park to the town centre.</p> <p>It is not appropriate for buildings to abut the park and reduce the light and sunlight and impact on the park trees and other plants, including damage to roots and tree canopies.</p> <p>Wells Way is a residential street which is a recognised through route between Walworth and Camberwell with two buses. Any additional residential accommodation will place additional strain on the local transport which is already over-crowded.</p> <p>Wells Way opposite the site consists of Georgian cottages. The mass and height of new buildings should respect the scale of the buildings on the opposite side of the road. As well as the listed buildings in the immediate location.</p> <p>The site description should require contributions to support social infrastructure such as early years provision, schools, health provision and transport.</p> <p>The site should also make adequate provision for green space and play space. Burgess park is already heavily used and it is not appropriate for the development to rely solely on the park.</p> <p>This information as above should be included in the site description to guide development which is sympathetic to the local area.</p>

Friends of Burgess Park

Response to the Area Plans – Height of buildings Camberwell, Peckham draft visions 6 July 2017

Friends of Burgess Park - is a local community group with the remit to protect, promote and enhance Burgess Park. We have a committee and engage with local people through our mailing list (300 + people) Facebook Group (407 people) and Twitter. We meet monthly and liaise with the council and other local community groups with an interest in the park. We also hold events in the park to promote biodiversity, heritage and engage the wider community.

Camberwell and Peckham visions – Must take account of the Burgess Park as an important part of the area. Tall buildings around this park and other green spaces would:

- change the essential character of the park and immediate area
- be detrimental to health and well being
- full consideration of loss of sunlight must be adequately addressed in planning policy.

(See also FOBP other submission on site allocations/Burgess Business Park and the submission on the draft Southwark Plan which also covered height of buildings around the park).

Height of current buildings around Burgess Park

On the corner of Wells Way and St Georges Way parallel to the church), is a large apartment block 4 storeys (GF + 3) high.

Camberwell Fields (GF + 7) at Southampton Way/Edmund Street which is a corner site opposite a main park entrance and should be the highest building along the southern boundary.

The height of the two buildings around the park as above and new developments on Southampton Way (five and six storeys) are in keeping with the local area, and the other immediate tall buildings which are the nearby former St George's Church, which is a listed building and an important site for views and way-finding in the area and St Giles Church, Camberwell.

FOBP have objected to the 21-23 Parkhouse St development proposed nine-storey building (planning application) which will set a precedent for more new housing in the area. FOBP have objected about:

- significant building shadows,
- the height of tall buildings and
- the impact of building too close to the park boundary on biodiversity and
- the green link into the park

To the north of the park taller buildings are part of the Aylesbury redevelopment, the current blocks being between nine and twelve floors in height. Taller buildings will be replacing these buildings in the near future. This will significantly alter the ambience, look and feel, and view out of the park.

Height for new buildings around Burgess Park

The importance of lines of sight, visibility, and dominance cannot be under-estimated for the impact of the park as an open space. At the moment there are no tall buildings which above the tree line on that south side or dominate the sky line either along the immediate park edge or further away.

The position of any buildings taller than eight storeys (ie Camberwell Fields) would completely alter the southern aspect of the park. If the planning requirement change – and views to Burgess Park will be highly desirable – tower blocks 3/4/5 times the height of the trees will make the park feel hemmed in on both sides by tall buildings.

Sunlight and light

Burgess Park is a very narrow park and this means that building height has a significant impact. The northern/Albany Road side of the park will have buildings of significant height once the NHHT proposed plans for the Aylesbury estate are built.

The impact of building shadow on public realm and parks especially need to be an important planning consideration. "shadows even turn light into another medium of inequality — a resource that can be bought by the wealthy, eclipsed from the poor." "San Francisco has had a "sunlight ordinance" that requires the parks commission to review any proposed building taller than 40 feet that might shadow public parks."

<https://www.washingtonpost.com/news/wonk/wp/2015/05/04/in-the-shadows-of-booming-cities-a-tension-between-sunlight-and-prosperity/>

Central Park in New York has a central [Central Park Sunshine Task Force](#) to monitor the impact of tall building shadow on the park. "The Task Force is evaluating the impact of new construction and will make policy change recommendations so that NYC zoning laws adequately take into account new construction trends and techniques for extremely large and tall buildings, in order to protect New-Yorkers vital access to air and sun light."

The impact of shadowing onto the park is not fully addressed through current standard sunlight/shade reports which consider the impact on other dwellings and amenity space.

FOBP would recommend that Southwark Council investigate some of the approaches already underway other cities to address access to sunlight.

OBJECTIONS TO NSP SUBMISSION VERSION

Insert personal details: [REDACTED], on behalf of Friends of Burgess Park [REDACTED]

Say if you wish to take part at the oral examination (public hearings). Yes

TOPIC Page number, Policy Number + Name OR Site Number + Name	Test of Soundness to which objection relates	OBJECTION / TEST OF SOUNDNESS Give details of why you consider this part of the NSP to be unsound or not legally compliant.
SP6 Cleaner, greener, safer	Not positively prepared	<p>The NSP policy SP6 is unsound because it is not consistent with the Policy 56 Open Space.</p> <p>SP6 stated objective is to protect and improve open space. This strategic goal should be clearly stated at the in the first sentence and consistently applied through the detailed cleaner, greener, safer policies. The wording of the Strategic Policy and subsequent policies needs to be strengthened to ensure that the plan is effective.</p> <p>Proposed change The wording of the Strategic Policy should reinforce the importance of greenspace for people and nature, and might be something like, “We will lead the way in [inserted text: providing space for people to reconnect with nature], making people feel safe, creating cleaner streets, increasing recycling and reducing landfill waste.”</p>
Policy 56 Open Space	Inconsistent with Mayor of London’s London Plan	<p>The NSP Policy P56 Open Space is unsound because it is inconsistent with the draft London Plan and internally inconsistent</p> <p>It is inconsistent with the London Plan because the London Plan’s sections on green and open space emphasise the need for the protection and extension of green and open space:</p> <ul style="list-style-type: none"> • Policy G3 Metropolitan Open Land states that: <i>The extension of MOL [Metropolitan Open Land] designations should be supported where appropriate.</i> • Policy G4 Local green and open space states: <i>The creation of new areas of publicly-accessible green and open space should be supported,</i>

	<p>Not effective</p>	<p>The NSP is unsound because it is ineffective in addressing health and wellbeing needs of its residents.</p> <p>Green and open space is valued in its own right and as a factor contributing to the health and wellbeing of the borough's residents. However, the NSP fails to provide significant additional green and open space to meet the needs of existing residents in areas acknowledged to be in deficit.</p> <p>Where areas have a greenspace deficit (as set out in Southwark's Open Space Strategy) this should be identified in the relevant Area Vision along with a commitment to address the deficit.</p> <p>The NSP does not set out how it will monitor the provision of new green and open space as part of developments to ensure that this keeps pace with the numbers of new residents coming into the borough to occupy the housing being built. This means that there is likely to be insufficient green infrastructure to enable people to exercise and lead healthy lives.</p> <p>Proposed change: Introduce a sentence to establish that greenspace will be improved and extended to meet the needs of Southwark's growing population. State how the numbers of new people moving into new residential developments will be monitored and action taken to provide additional greenspace to address historic deficiencies and meet the needs of new residents.</p> <p>Introduce a sentence to establish that greenspace will be improved and extended to meet the needs of Southwark's growing population.</p> <p>* MOL = Metropolitan Open Land; BOL = Borough Open Land; OOL = Other Open Land</p>
<p>Policy 56 Open Space</p> <p>Point No. 1.1</p>	<p>Not Justified</p>	<p>The NSP is unsound because ancillary facilities should positively contribute to both openness and character of the open space.</p> <p>Ancillary facilities need to be of the highest standard to deliver the intensive use in a dense urban environment with limited green space and facilities. Areas of Southwark in the north and central wards are in areas of green space deficit.</p> <p>Any ancillary facilities proposed for green spaces in the north and centre of the borough must minimise the size of the building footprint on the green open space in order to retain limited green space.</p> <p>The proposed wording amend is to ensure that consideration is given to openness AND character.</p>

		<p>Proposed wording: ... if it does not affect its openness nor detract from its character.</p>
<p>Policy 58 Green Infrastructur e</p> <p>Policy 56 Open Space</p> <p>Point No. 2</p>	<p>Not effective</p>	<p>The NSP is unsound because it does not provide for replacement Other Open Space of both equivalent size and substantially better quality.</p> <p>Replacement green space should be of a greater size and better environmental quality. This would support the new draft London Plan 2017 objective to increase green space in London and increase green space in Southwark as an area of deficit.</p> <p>Proposed wording: ... replacement OOS of equivalent or greater size AND substantially better quality can be secured etc.</p>
<p>Policy 58 Major developmen t</p> <p>Large scale major developmen t</p>	<p>Not Effective</p>	<p>The NSP is unsound because there is no definition of major developments or large scale major development.</p> <p>Without definitions this it is not possible to ensure that planning applications make sufficient provision for greenspace either on the development site or as a contribution to other sites.</p> <p>Definition - There is inadequate definition of the development size described as major developments and large scale major development. Definitions could be linked to geographical size of area and density of proposed new development.</p> <p>Stewardship and maintenance funding - The additionality of green space and future management must be agreed via suitable planning legal agreements. Otherwise there is no follow through or legal grounds to take action on the planning requirements if not complied with.</p> <p>Green infrastructure – This will include green roofs and walls and will not be areas accessible by people. Benefits for health and wildlife should also include benefits for play and access for people and mobility.</p> <p>Proposed wording for the definitions could be: Major development defined as more than 30 meters tall (aligning to the draft London Plan).</p> <p>Large-scale major development defined as more than 30 meters tall and more than 50 dwellings (this is double the size of scheme defined as small by the draft London Plan).</p> <p>Developments of under 50 dwellings should also have to provide green space as well.</p>
<p>Policy 58</p>	<p>Not positively</p>	<p>Policy 58 is unsound because it is not consistent with the SP6 on flooding and the importance of urban greening to tackle this risk. It is also not consistent with Policy 69 on Reducing flood risk. 417</p>

Green infrastructure	prepared	<p>SP6 stated objective is to use urban greening to reduce flood risk. This strategic goal should be applied more strongly to ensure that Policy 58 on major developments provides for green space which is used strategically to tackle flood risk as well as green infrastructure.</p> <p>Much of Southwark is at risk from flooding: Thames river flooding, ground water (Policy 69)</p>
Monitoring framework	Not positively prepared	<p>The monitoring framework does not indicate how and when data will be collected to monitor the cumulative impact of developers not providing green and open spaces within their own site and assuming provision can adequately be provided for by other public parks and green spaces.</p> <p>For example the Burgess Business Park development current planning application is not providing all the playspace required. It is assuming that because of the location close to Burgess Park and other green spaces that this can be provided off site. However, there are other development (at least 8) proposed and in the planning pipeline within a two to three minute walk which will also add considerable additional residents to the local area. If all the developments partially underprovide this needs to be monitored as a specific data set within the CIL/S106 data.</p>

Name: [REDACTED], Treasurer, Friends of Nursery Row Park. Address: [REDACTED]

Email address: [REDACTED] Phone: [REDACTED]

I wish to take part at the oral examination/public hearings.

TOPIC	Our view of relevant test	Comment
<p>SP6: Cleaner, greener, safer</p>	<p>Justified</p>	<p>We strongly support the proposals to designate new Sites of Importance for Nature Conservation in North Southwark and across the Borough, and believe that SP6 is crucial and justified policy to promote the ongoing improvement and protection from development of open spaces, trees, and green corridors and habitats.</p> <p>In particular we support:</p> <ul style="list-style-type: none"> • a new SINC of Borough Importance at Nursery Row Park. • SINCs at Victory Community Park and Elba Place Nature Garden, Faraday Gardens, Salisbury Row Park, Surrey Square Park and Pasley Park <p>We believe that the very comprehensive approach taken in developing the evidence base (in Appendices A and B to EB37), including a Borough-wide biodiversity survey of local parks, provides a systematic and logical approach to site identification and ensures that all decisions are evidence-based and up to date.</p> <p>We also believe that the proposed boundary amendments to Nursery Row Park, to include all of the green space that had previously been removed from the park, is justified and essential to the future safety and biodiversity of the park (Appendices 3 and 4 to EB37).</p>
<p>P56 Page 80/81 SP6 page 20</p>	<p>Ineffective</p>	<p>We believe that part of this policy is not effective because the definition of open space does not make reference to the value to nature conservation of SINCs of local importance, and hence affords them less protection that hitherto has been the case.</p> <p>Southwark Council have historically designated parks which are also designated as Sites of Importance for Nature Conservation (SINC) as at least Borough Open Land (BOL). This provides a crucial additional layer of protection for nature conservation and biodiversity in the borough. In the Policy 56 Open Space a number of requirements for BOL or MOL (Metropolitan Land) are cited, but only sites of Borough-wide nature conservation or biodiversity value are listed as requiring the additional protection that BOL and MOL provide over Other Open Space, the least</p>

		<p>protected of the three grades.</p> <p>We note that the consultation plan version notes (SP6 pg 20) this: 4 Protecting and improving our network of open spaces, trees and biodiverse habitats and green corridors that make places open and attractive and provide important sport, leisure and food growing opportunities; We believe that the use of “protecting” in this clause supports our view of the need to include all SINCs (whether of Borough or Local importance) at least at the level of BOL.</p> <p>To make this policy sound, an additional point (underlined) could be added to definition as follows:</p> <p>The following types of open space must be BOL: i. Borough <u>and local</u> sites of nature conservation</p>
AV.14 Walworth Area Vision 14.2	Effective	<p>We strongly support the following policy</p> <p>Development in Walworth should: Improve the local parks and green links between Burgess Park, Nursery Row Park, Lorrimore Square gardens and Surrey Square.</p> <p>We would further add in Victory Community Park, Faraday Gardens and Salisbury Row Park as worthy of inclusion in this list</p>

RESPONSE TO CONSULTATION ON NEW SOUTHWARK PLAN (NSP) SUBMISSION VERSION - P56 Open Space

Name: [REDACTED] Secretary, Pasley Park

Address: c/o P. Steel, Chair of Friends of Pasley Park, [REDACTED]

Email address: [REDACTED]

Phone: [REDACTED]

I wish to take part at the oral examination/public hearings.

TOPIC Page no, Policy Number + Name	Test of Soundness	OBJECTION / TEST OF SOUNDNESS
SP6: Cleaner, greener, safer	Justified	<p>We strongly support the proposals to designate new Sites of Importance for Nature Conservation in North Southwark and across the Borough, and believe that SP6 is crucial and justified policy to promote the ongoing improvement and protection from development of open spaces, trees, and green corridors and habitats.</p> <p>In particular we support:</p> <ul style="list-style-type: none"> • A SINC at Pasley Park • A new SINC of Borough Importance at Nursery Row Park. • SINCs at Victory Community Park and Elba Place Nature Garden, Faraday Gardens, Salisbury Row Park, Surrey Square Park <p>We believe that the very comprehensive approach taken in developing the evidence base, including a Borough-wide biodiversity survey of local parks, provides a systematic and logical approach to site identification and ensures that all decisions are evidence-based and up to date.</p>
P56 Page 80/81 SP6 page 20	Ineffective	<p>We believe that part of this policy is not effective because the definition of open space does not make reference to the value to nature conservation of SINCs of local importance, and hence affords them less protection that hitherto has been the case.</p> <p>Southwark Council have historically designated parks which are also designated as Sites of Importance for Nature Conservation (SINCs) as at least Borough Open Land (BOL). This provides a crucial additional layer of protection for nature conservation and biodiversity in the borough. In the Policy 56 Open Space a number of requirements for BOL or MOL (Metropolitan Land) are cited, but only sites of Borough-wide nature conservation or biodiversity value are listed as requiring the additional protection that BOL and MOL provide over Other Open Space, the least protected of the three grades.</p>

		<p>We note that the consultation plan version notes (SP6 pg 20) this: 4 Protecting and improving our network of open spaces, trees and biodiverse habitats and green corridors that make places open and attractive and provide important sport, leisure and food growing opportunities; We believe that the use of “protecting” in this clause supports our view of the need to include all SINCs (whether of Borough or Local importance) at least at the level of BOL.</p> <p>To make this policy sound, an additional point (underlined) could be added to definition as follows:</p> <p>The following types of open space must be BOL: i. Borough <u>and local</u> sites of nature conservation</p>
<p>AV.14 Walworth Area Vision 14.2</p>	<p>Effective</p>	<p>We strongly support the following policy</p> <p>Development in Walworth should:</p> <ul style="list-style-type: none"> • Improve the local parks and green links between Burgess Park, Nursery Row Park, Lorrimore Square gardens and Surrey Square. (We are currently attempting to introduce green links on the other side of the Walworth Road, leading from this road, through Pullens and down to Pasley Park and even further over to Brandon, with an ultimate aim, some day, of achieving a green link across the Walworth Road). <p>We would further add in Victory Community Park, Faraday Gardens and Salisbury Row Park as worthy of inclusion in this list.</p>

Development, Enterprise and Environment

[REDACTED]
 Director of Planning
 Chief Executive's Department
 5th Floor, Hub 4
 Southwark Council
 PO Box 64529
 London, SE1P 5LX

Our ref: LDF28/LDD07/BS

Date: 09 March 2018

Dear [REDACTED]

**Planning and Compulsory Purchase Act 2004 (as amended);
 Greater London Authority Acts 1999 and 2007;
 Town and Country Planning (Local Development) (England) Regulations 2012**

Re: New Southwark Plan Proposed Submission Version (Regulation 19)

Thank you for consulting the Mayor of London on the Proposed Submission Version of the New Southwark Plan (NSP) and for extending the consultation deadline to allow for additional meetings between Southwark, GLA and TfL officers. As you are aware, all development plan documents must be in general conformity with the London Plan under section 24 (1)(b) of the Planning and Compulsory Purchase Act 2004. The Mayor has delegated authority to me to respond and his representations are set out below. Representations from Transport for London (TfL), which I endorse, are set out in Annex 1.

The Mayor commented on the previous draft version of the New Southwark Plan Part One: Strategic Policies and Development Management Policies in a letter dated 12 February 2016 and on Part Two: Area Visions and Site Allocations in letters dated 2 May 2017 and September 2017. All letters highlighted elements of the draft document that could raise issues of non-conformity as well as providing more general comments.

GLA officers have had meetings and exchanged emails with Southwark officers over the past year to discuss conformity issues. However, there are still some outstanding matters which need addressing, specifically town centre classification and loss of SIL. It is hoped that these issues can be addressed prior to examination of the New Southwark Plan and my officers would be pleased to assist Southwark officers in finding ways to achieve conformity with the London Plan.

The London Plan

You will be aware that the Mayor published his draft London Plan for consultation on 1st December 2017. It is anticipated the Examination in Public of the London Plan will take place in Autumn 2018 with publication in Autumn 2019. Once published, the new London Plan will form part of Southwark's Development Plan and contain, where relevant, the most up-to-date policies. Southwark's Local Plan is required to be in general conformity with the current London Plan, however its policies will need to

be considered alongside the draft London Plan. The draft London Plan and its evidence base is a material consideration in planning decisions, and gains more weight as it moves towards publication.

In this regard, the Mayor recognises that Southwark is at submission stage and has prepared its draft Plan and evidence base prior to the publication of the draft London Plan. However, once the draft London Plan is published, Southwark will require a more comprehensive strategy for delivering housing. With regards to large sites in the Old Kent Road area, GLA and Southwark officers continue to work together to identify the full housing capacity of these sites.

General Comments

Southwark is set to deliver a significant amount of new development in the Old Kent Road Opportunity Area. Southwark officers have worked and continue to work with GLA and TfL officers to help the Council realise its growth ambitions for the borough, including up to 20,000 new homes in the Old Kent Road area and an additional 10,000 new jobs. The Old Kent Road Area Action Plan Preferred Options is currently being consulted on and my officers welcome ongoing discussions on the detailed proposals and phasing that will guide development in the Old Kent Road area.

SP1 Quality affordable homes

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.

It should be noted that Southwark's overall housing target in the draft new London Plan is slightly lower than in the published London Plan, reducing from an annual target of 2,736 to 2,554. The draft London Plan approach towards housing now includes a small sites policy (Policy H2 Small sites) and a small sites housing target for each borough, which is 800 per annum for Southwark.

Southwark has identified sufficient capacity to meet its London Plan target over the first 10 years of the Local Plan period.

SP4 Strong local economy

The Mayor welcomes the policy, which aims to deliver 500 new affordable small business units. This approach is in line with draft new London Plan Policy E2 Low-cost business space and Policy E3 Affordable workspace.

P1 Affordable Homes

The Mayor is pleased to see that previous comments have been addressed such as payments in lieu for the provision of affordable housing off site. Table 1: Affordable homes requirement is broadly in line with the London Plan.

The requirement for development of more than 11 homes to provide a minimum 35% affordable homes is supported. However, the policy should reflect the threshold approach to viability as set out in the Mayor's Affordable Housing and Viability SPG 2017. This approach allows for 'fast tracking' applications that will provide 35% affordable housing without grant. The threshold set out in the draft new London Plan for development on public sector land, Strategic Industrial Locations, Locally Significant Industrial Sites and other industrial sites deemed appropriate for other uses is 50%. With the proposed release of significant amounts of industrial land within the borough, it would be useful

to make reference to this approach, which is set out in Policy H6 Threshold approach to applications in the draft London Plan.

P9 Optimising delivery of new homes

Southwark has a mixed record of housing delivery over the past few years, delivering 109% of its London Plan target in 2012- 2013, 75% in 2013 – 2014, 101% in 2014 – 2015 and 55% in 2015 – 2016. The borough should meet and exceed its target going forward as required in London Plan Policy 3.3 Increasing housing supply. The housing target referred to on page 35 is 2,376, which is likely a typographical error as it should be 2,736 homes per year, as set in the London Plan.

P19 Borough Views

The area the draft NSP covers falls within the background of a number of Protected Vistas as illustrated in the image below which shows part of Southwark.



The Mayor wrote to every London local planning authority in March 2017 asking them to consult the Mayor where buildings were proposed that fell within the background of a Protected Vista even where the site was beyond the area currently designated as a wider consultation area in the Mayor’s 2012 London Views Management Framework Supplementary Planning Guidance.

Local Plans, and any relevant AAPs, OAPFs and masterplans should be in line with London Plan Policy 7.12 C which states that:

“Development proposals in the background of a view should give context to the landmarks and not harm the composition of the view as a whole.”

Development proposals should carefully assess any impacts the development may have on Protected Vistas to ensure no harm would result to their composition.

The London Views Management Framework Supplementary Planning Guidance 2012 (LVMF SPG) provides detailed guidance on each of the management plans for assessing development in the background of a strategic view. In addition, paragraphs 63, 67, and 77-79 provide an overview of how development should be managed in the background of different types of strategic views and can be

downloaded from this webpage: <https://london.gov.uk/what-we-do/planning/implementing-london-plan/supplementary-planning-guidance/london-view-management>.

The background to these strategic views includes areas covered by the Old Kent Road Opportunity Area. The location identified as suitable for tall buildings in the Local Plan and area strategies must consider the location of the background area of the strategic views as well as the area covered by Southwark's local views. Policy and planning guidance in respect of appropriate building heights for locations must not adversely impact on local or strategic views in accordance with London Plan Policy 7.7-part A, D. b and E. Further information on the geography of the background areas can be found here: <https://data.london.gov.uk/dataset/london-views-management-framework-lvmf-extended-background-vistas>.

In the consultation document titled - New Southwark Plan - Annex 4. Borough Views, covers the location and management for the Borough's local views. The Mayor welcomes the clear identification of the Borough's local views and application of the LVMF principles in accordance with London Plan Policy 7.12-part J. Further refinement of the view coordinates could be undertaken to more closely apply the LVMF approach and my officers can provide advice in this regard if required. It is noted that Local views 1 and 2 have clear views of the main body of St Paul's Cathedral below the lower drum and the dome. The Borough should consider lowering the height of the threshold plane of the viewing corridor and consultation area for these views to help preserve these exceptional local views of one of London's most significant heritage assets in accordance with London Plan Policy 7.8-part F and G, which requires local polices to maintain and enhance and improve access to heritage assets and the contribution the asset make to London's cultural identity.

P25: Strategic protected Industrial Land and Policy P26: Office and business development

There is a lack of clarity in the draft NSP as to how Southwark will retain its industrial capacity. The London Plan classifies Southwark as a limited transfer borough, with exceptional planned release related to the Old Kent Road opportunity area. In the draft London Plan, Southwark is categorised as a borough which should "retain capacity".

The draft NSP designates 27.6Ha of industrial land as SIL; in 2015 there was a total of 82.9Ha (64.1Ha SIL, 18.8Ha LSIS) protected industrial land in 2015, according to our Aecom industrial land supply study. This represents a very significant planned loss of designated industrial land, which is an issue that has been raised in previous consultation responses and at meetings between Southwark and GLA officers.

From recent discussions with Southwark officers, it seems that Southwark is aware of the issue of generally higher value office uses displacing industry without proper policy in place. However, Policy P25 only protects the retained SIL, and Policy P26 doesn't differentiate between offices and other business development, with reference only made to B use class rather than specifying the different sub-classes.

Site allocations on existing industrial sites (both sites proposed to be released from SIL, and other non-designated industrial sites) similarly require development only to re-provide B Class uses, or explicitly state B1 (rather than including existing B1c/B2/B8 or SG industrial uses). Overall, then, the Plan as it stands doesn't adequately show how it will retain industrial capacity in Southwark, both on (adopted) designated SIL and LSIS and on non-designated industrial sites.

The draft OKR AAP provides some resolution towards this issue, setting out clear and detailed policies, site allocations and masterplans for the intensification and co-location of existing industrial

sites. However, the draft OKR AAP is at the preferred options stage and is unlikely to be adopted for some time and therefore the draft NSP will need to provide at least some of the detail and policies contained within the draft AAP.

There are also concerns regarding the extent of release of SIL on some sites in the OKR area, which are detailed below in the comments on the draft OKR Area Vision.

It is recommended that the draft NSP sets out:

- a mechanism by which the industrial capacity of the borough will be protected, and
- clarify in relevant site allocations and policy that industrial capacity, which generally means floorspace, specifically B1c/B2/B8/SG industrial uses, should be retained or intensified.

P27: Railway arches

The Mayor supports this policy, particularly as it can provide low-cost and business space in line with draft London Plan Policy E2 Low-cost business space.

P30: Town and local centres

The issue of non-conformity for some proposed town centre designations has been raised previously, in the letter dated 13 September 2017, in various email exchanges and at meetings between GLA officers and Southwark offices. Specifically, the proposed designations for Canada Water and Old Kent Road as Major Town Centres and Herne Hill as a District Centre.

The current town centre network is set out Table A2.1 in Annex Two of the London Plan which classifies town centres according to their existing role and function taking into account various criteria. London Plan policy 2.15 requires boroughs to co-ordinate the development of London's network of town centres in the context of Map 2.6 and Annex 2 of the London Plan.

The draft new London Plan has updated the town centre network (see Table A1.1 in Annex 1 Town Centre Network), using evidence from the London Town Centre Health Check 2018 and Experian's Consumer Expenditure and Comparison Goods Floorspace Need in London, 2017.

The proposed changes to the town centre network regarding Southwark includes:

- Elephant and Castle/Walworth Road reclassified from District to Major Centre
- Canada Water – future potential Major Centre and a night-time economy area of Local importance (NT3)
- Bankside and The Borough (previous Borough High Street) – night-time economy area of International importance
- London Bridge – night-time economy area of Regional/Sub-regional importance
- Old Kent Road/East Street – future potential District centre
- Old Kent Road/Peckham Park Road – future potential District centre

Canada Water

The draft new London Plan classifies Canada Water as a District with potential to become a Major centre, and GLA officers are confident that Canada Water is progressing towards becoming a Major centre. Given local knowledge and evidence, and the different timescales of the draft NSP and the new London Plan, we do not consider the classification of Canada Water as a Major centre to be a conformity issue.

Old Kent Road

The draft NSP identifies Old Kent Road (OKR) as a single Major centre, whereas it is not classified as any type of town centre in the adopted London Plan and the draft new London Plan identifies two areas along the OKR as having potential to become two District centres. The draft London Plan classification reflects the Southwark Retail Study 2015 which identifies the potential to create a local centre at the northern and a local or town centre towards the southern end of OKR.

The Mayor strongly supports Southwark's placemaking ambitions for the OKR area and the vision to reinvigorate the thoroughfare to become a thriving high street. While it is acknowledged that the draft NSP town centre boundary has been modified, the size, scale and extent of the single Major town centre that is proposed is currently not supported for the reasons set out below. However, the Mayor would support the identification of two potential future District town centres with tight boundaries, informed by demand and capacity assessments. Town centre development should be concentrated along the OKR, with a focus for each town centre to help create a sense of place.

While it is recognised that there is significant retail floorspace along the OKR, this is predominantly large format retail stores. There are also smaller retail and other commercial uses along the OKR, however these tend to be focussed towards the north-west end of OKR, with smaller parades, retail parks and stand-alone units toward the south-east.

The size and mix of retail stores and the range of other town centre uses indicate that the OKR does not currently function as a town centre. For example, the predominance of large format retail stores relies on customers travelling by car which is more in line with an out-of-centre retail park. The London Plan requires Local Plans to set out a clear strategy for how potential centres can address the need for a broader mix of store sizes and a range of retail and services in line with Policy 2.15 Town centres and taking note of paragraphs 2.70 following.

A Major town centre of the proposed size, that extends for over 3km and extends outwards on both sides of the OKR would be a matter of concern for the following reasons:

- It could have significant impacts on the retail and other commercial vitality of nearby centres such as The Blue, Peckham, Elephant & Castle, New Cross Gate and Lewisham
- It could give rise to an over-extended, diluted centre without a proper focus of commercial uses around (existing and planned) transport hubs
- It might not see demand for the quantity of retail proposed
- It could lead to inappropriate development of edge-of-centre commercial uses in surrounding areas that are predominantly residential.

The designation of Major centres must only be undertaken through the London Plan as set out in London Plan paragraph 2.74. Compelling evidence, particularly regarding the impact on other centres, as well as demand and capacity assessments would be needed to support a town centre of the proposed size of OKR and the Mayor would be interested to see any further evidence to support Southwark's proposal. At present, the proposed designation of the OKR as a Major centre is considered to be a conformity issue. However, as development comes forward over time, the OKR designation will be reviewed in future iterations of both the Local Plan and the London Plan.

The Mayor recommends that the draft NSP follows the approach in the London Plan, designating two potential future District centres, with distinct and smaller town centre boundaries around potential BLE stations. Although the Mayor recognises Southwark's ambition to create a rejuvenated high street along Old Kent Road, the type, location, form and scale of commercial development must be carefully considered in order for Old Kent Road to support London's network of town centres as a whole.

P37: Pubs

The Mayor welcomes the inclusion of a pub protection policy which is in line with draft London Plan Policy HC7 Protecting public houses.

P43: Leisure, arts and culture

The draft new London Plan places more emphasis on the protection and promotion of culture and the creative industries, building on London Plan Policy 4.6 and therefore the protection and support for leisure, arts and culture development is welcome.

P51 Transport infrastructure improvements

The draft NSP should provide more detail about the proposed BLE, and link it to the phasing of proposed development in Old Kent Road. TfL has provided more detailed comment on the BLE in Annex 1.

Area Visions and Site Allocations

In our response to the consultation on Area Visions and Site Allocations Preferred Option, the Mayor suggested some changes that would be useful for guiding future development. One suggestion was to include the Central Activities Zone boundary in relevant Area Vision Maps. Another suggestion related to extensive surface water flood risk for particular areas, where the Mayor suggested an informative be included in the 'design and accessibility guidance' section for each site allocation. It is disappointing that these suggestions have not been taken forward in the submission version of the NSP.

However, issues regarding several site allocations have largely been addressed, including NSP 11: Tower Workshops, NSP 12: Chambers Wharf, NSP 23: Burgess Business Park, NSP 38: Dulwich Hamlet Champion Hill Stadium and NSP 40: Dulwich Community Hospital.

A number of the sites in the Area Vision and Site Allocations document currently provide premises for industrial and distribution uses, including the Biscuit Factory, Burgess Business Park, Tower Workshops, Valmar Trading Estate, 49 Lomond Grove, Bath Trading Estate, and Copeland Road Industrial Park. The London Plan classifies Southwark as a limited transfer borough, with exceptional planned release related to the Old Kent Road opportunity area. The London Industrial Land Supply and Economy Study 2015 has established that there has been significant loss of industrial land across London, significantly outstripping the benchmark set in the Land for Industry and Transport SPG.

Most site allocations for these existing industrial sites require small business space (use class B1) to be provided. This is not broken down into sub-classes, so this allocation could potentially allow the loss of all industrial activity on these sites, with mixed use redevelopment only providing office floorspace as a replacement. Whilst support for SME businesses is welcome, it is important that this is not to the detriment of the needs of London's industrial economy and logistics functions. Many existing SME businesses on these sites will be industrial in nature. It is recommended that clarification is provided for these allocations to ensure that industrial premises are provided as part of the mix of uses on these sites.

The provision of a substantial quantity of additional office floorspace in some of these locations may also have potential impacts on the economic viability of town centres; the rationale behind requiring offices in these locations should be clarified as this should follow the sequential approach set out in the NPPF.

As stated previously, it would be useful for the document to state the sum total of all industrial and employment land, including floorspace that is proposed for release and any additional provision.

AV.02 Bermondsey

NSP10: Biscuit Factory and Campus

Previous comments have been partially addressed including acknowledging that the site is outside a town centre and a retail capacity assessment would be required to demonstrate the need for town centre uses in conjunction with a retail impact assessment to look at impacts on The Blue.

The loss of light industrial workspace is still a matter for concern. The site vision should specify that replacement business floorspace should include the B sub-classes B1c, B2 and B8.

AV.12 Old Kent Road Area Vision

The Old Kent Road has the potential to deliver around 20,000 new homes and 10,000 additional jobs. The Old Kent Road Area Action Plan (OKR AAP) is at a relatively early stage (Preferred Options) compared to the draft NSP; and Southwark officers have asked that the Mayor include general OKR conformity issues in his response to the NSP. The conformity issues regarding classification of the OKR as a Major Centre and release of SIL have been addressed earlier in this response, however as most of Southwark's SIL and Local SIL (LSIL) is located within the OKR corridor, the Plan should require retained SIL and LSIL sites to be intensified and require important displaced businesses to be relocated.

The document and OKR Area Vision should reference the current status of the proposed Bakerloo Line Extension (BLE), which the Mayor strongly supports but is currently unfunded. (TfL have provided more detailed comments in Annex 1).

Furthermore, a significant part of the case for the BLE relates to its ability to unlock new homes and jobs in the OKR area through the step-change in transport capacity and accessibility it will provide. London Plan Policy 1.1 confirms that London should be a city where it is easy, safe and convenient for everyone to access its jobs, opportunities and facilities and the draft London Plan introduces the concept of good growth.

Growth of the scale anticipated for Old Kent Road will require very significant increases in public transport capacity to ensure the area will be sustainable in transport terms. It is therefore vital that the AAP sets out a clear and effective mechanism for linking development with transport capacity and BLE delivery.

It is understood that the details of such a mechanism are intended to be set out in the OKR AAP; however, the draft NSP and AAP must be closely aligned and the draft NSP should clearly set out the principles of linking development with BLE delivery. In summary, the draft NSP should:

- Make clear that the BLE is required to support the scale and ambition of the growth the draft NSP and AAP envisage.
- Acknowledge that new development will be expected to contribute towards the delivery costs of the BLE and other transport improvements.
- Include reference to a mechanism for phasing development in advance of the BLE, recognising not all sites will be developed at the same time, some will be dependent on the BLE being approved and delivered, and that some sites will come forward later in the plan period. This mechanism could, for example include phasing the release of currently protected industrial land, use of Grampian Conditions, and bringing forward sites closest to potential stations first.

This mechanism will require effective monitoring and will need to be agreed by Southwark, the GLA and TfL. TfL may also wish to be a signatory to any S106 agreements to ensure this phasing.

The document should also outline the open space and social infrastructure necessary to support up to 20,000 new homes and 10,000 new jobs.

As a general comment, it is expected that reference be made in all site allocations to specific B Use Classes (B1c, B2, B8) and not just “B Class” as is the case in of all site allocations within the document and especially for sites in the OKR. As explained above, this is to prevent the potential loss of all industrial activity on sites.

NSP 65: Land bounded by Glengall Road, Latona Road and Old Kent Road

The extent of SIL release in this site is not supported. The Mayor feels strongly that the area between the retained SIL and Ossory Road should remain as SIL. This would provide a more substantial industrial area with the potential for intensification that would not be easily achieved on the site proposed for retention.

NSP 69: Hatcham Road and Penarth Street

The Mayor provided detailed comments on this site in response to the consultation on the OKR AAP in our letter of 13 September 2017. We continue to object to the loss of this SIL site and believe that its industrial uses should be retained. We do not envisage mixed use or co-location working successfully in this area. The site has potential for intensification which would help towards ensuring Southwark retains industrial capacity and can reprovide industrial floorspace. Hatcham Road is home to several SME and creative businesses and it should continue to support these types business. There is also scope for providing low-cost and affordable workspace, particularly for the creative industries and to provide space for B1c, B2, B8 businesses relocating from other areas within the OKR.

NSP 70: Ilderton Road

This site, or the majority of it should be retained as SIL. Much of this site is unsuitable for housing and should retain its industrial businesses. Some areas in the wider, middle section of the site could support mixed-use development however as the site sits between a railway line and road, it is unlikely to provide the sort of quality and amenity expected of any new housing element as set out in the draft London Plan Policy D4 Housing quality and standards.

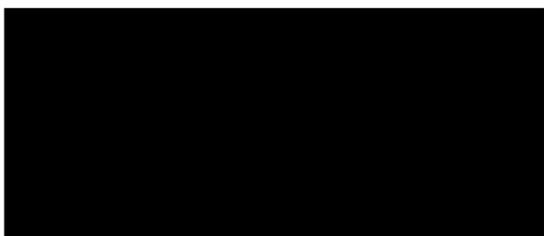
AV.13 Peckham Area Vision

NSP 75: Aylesham Centre and Peckham Bus Garage

The retention of the bus station is welcomed as is the addition of proposing meanwhile uses on the car park. As mentioned previously, given the location of the site and its PTAL rating, a substantial reduction in car parking would be expected, however this matter is not addressed in the site allocation.

If you would like to discuss any of my representations in more detail, please contact Brianne Stolper (020 7983 4286) who will be happy to discuss any of the issues raised.

Yours sincerely,



[Redacted]
Chief Planner – Greater London Authority

cc [Redacted], London Assembly Constituency Member
[Redacted], Chair of London Assembly Planning Committee
National Planning Casework Unit, DCLG
[Redacted], TfL

Annex 1 – Comments from Transport for London (TfL)

Page 34 - P9: Optimising delivery of new homes

There is no specific mention of public transport accessibility and capacity in the policy, though it is mentioned in the supporting text. Draft New London Plan (NLP) policy D6 states that when determining density of development, particular consideration should be given to:

- 1.the site context
- 2.its connectivity and accessibility by walking and cycling, and existing and planned public transport (including PTAL)
- 3.the capacity of surrounding infrastructure

As such, P9 could be strengthened by adding a line specifically on this.

Also, table 6 seems to preclude higher density development in the town centres, specifically Peckham and Camberwell that have a PTAL of 6.

Page 35 - Figure 2: Map of Residential Density Ranges

This needs to show the Old Kent Road Opportunity Area Core, as described on Table 6.

Page 37 - P12: Design quality

Suggested change to line 1.10 *A positive pedestrian and, where appropriate, cycling experience;*

Particularly in areas that have larger development sites (such as Canada Water and Old Kent Road), exemplar cycle facilities, and ease of access for cyclists, will be vital to support the Mayor's mode shift targets towards more active travel.

Page 72 - P46: Public transport

The policy helpfully acknowledges the importance of transport capacity as well as accessibility, which is a key issue in parts of the borough.

The policy or supporting text could be strengthened further by stating that development would be expected to fund capacity improvements to public transport should there be an identified capacity constraint issue.

This policy should provide a clear statement that the cumulative impacts of developments within close proximity will be considered when the policies are applied. It should also reference the necessity of improvements to the existing public transport network (i.e. including BLE and other PT improvements) in facilitating new development.

Page 72 - P47: Highways impacts

Mention could be made here in the supporting text of the Mayor's 'Vision Zero' (and/or the Council's own targets) for road casualty reduction, given that road safety is a key issue and that well designed

development plays an important role in helping deliver this target, both during construction and residually. The policy/supporting text could specify the requirement for larger/high impact developments to have approved construction management/logistics plans and delivery and servicing plans, in line with NLP policy T7.

As for policy P46, this policy should provide a clear statement that the cumulative impacts of developments within close proximity will be considered when the policies are applied.

Page 73 - P48: Walking

This policy could specify that larger developments should provide pedestrian wayfinding, such as Legible London.

To strengthen the policy further, Part 5 could specifically mention the Thames Path National Trail, which is obviously one of the key strategic walking routes in the borough.

The supporting text or ideally the policy itself could specifically mention the 'Healthy Streets Approach', which is a key plank of the draft Mayor's Transport Strategy (MTS) and NLP. Explicit mention here will help connect to the corresponding policies in the MTS and NLP.

Page 74 - P49: Low Line routes

The supporting text could mention that the Low Line routes are, in places, cycle routes also. For example *'Cycling on the Low Line will be encouraged and designed for where appropriate.'*

Page 75 - P50: Cycling

Part 6 *Provide a free two year cycle hire job per dwelling where a docking station is located within 400m of the proposed development.*

This is strongly supported, however question why this is two year period, and the similar car club membership provision is three years (Policy 52 Car Parking Part 3). This seems contrary to mode shift policies that support active modes of travel and suggest it should be the same period for both, or ideally the other way around i.e. three years cycle hire, two for car clubs.

Page 75 - P51: Transport infrastructure improvements

The Old Kent Road 'Healthy Streets Approach' scheme could be included in the bullet point list.

The supporting text could be strengthened, for example why these schemes are needed, and to clarify further what 'support' means (*Development must support the implementation of the following strategic transport projects and initiatives*), for example safeguarding land.

The case for a new station at Camberwell is currently being looked at by TfL, Network Rail and the Council. The supporting text should acknowledge this.

Page 76 - P52: Car Parking

Part 3 'requires' car club provision. NLP policy T6.1 D states:

Outside of the CAZ, and to cater for infrequent trips, car club spaces may be considered appropriate in lieu of private parking

As such, P52 part 3 should be updated to reflect this.

The policy/supporting text should require development with car parking to have an approved car parking design and management plan, in line with DLP policy T6 G.

Part 6 could be extended to require developments to fund CPZ expansions where none exist and where there is the potential for overspill on-street car parking

Part 7 Electric Vehicle Charging states:

Where on-site Parking is permitted, the applicant must provide electric vehicle charging points (EVCP).

This is supported; however it is unclear if this means ALL parking spaces must provide EVCPs. It would be helpful if this was made explicit, or explained further in the supporting text.

General comment on site allocations

The council could consider mentioning specifically the requirement for safeguarding/funding of cycle hire in larger sites, particularly those outside of the current zone and in the area the council would like to expand it to (eg Canada Water, Camberwell, Peckham), in order to support policy P50.

The site allocations includes a number of sites which are being considered as potential BLE stations, but only references some of them. For example Tesco is mentioned as a potential BLE site but Mandela Way isn't. For consistency we suggest that all potential BLE station locations are referenced (TfL can provide a list of sites this applies to).

A sentence should be added to each of the relevant site allocations to say that should the site be selected as a preferred BLE station location, it will be safeguarded from development prior to the BLE being delivered.

Further comments on the site allocations in the Old Kent Road area will be provided in our response to the Old Kent Road Area Action Plan.

Page 109 – NSP05 Southwark Bridge Road and Red Lion Court

Specific mention could be made of the need to protect/enhance CS7, as per NSP04 (fire station site).

Page 112 - NSP06: Landmark court

This is a part/wholly TfL-owned site, so TfL Commercial Development will provide comments.

Page 151 - NSP18: Southwark Station and 1 Joan Street

This is a part/wholly TfL-owned site, so TfL Commercial Development will provide comments.

Page 154 - NSP19: McLaren House, St George's Circus

There are errors in the site description –this is not a tube station.

Page 163 AV.04.2 Development in Camberwell

The third bullet point could include specific mention of the need for development to support expansion of cycle hire into Camberwell.

Page 163 AV.04.2 Development in Camberwell and Page 165 NSP22 (Camberwell Station)

The case for a new station at Camberwell is currently being looked at by TfL, Network Rail and the Council. The supporting text should acknowledge this.

The design guidance for NSP22 (page 166) seems to be for another site.

Page 174 - NSP26: Camberwell Bus Garage

Given it is unlikely that this bus garage will be 'surplus to requirement' within the plan period, an option for developing 'over' the garage, whilst retaining or enhancing the garage function, could be included.

Page 177 - NSP27: Abellio Bus Garage, Camberwell

Perhaps more accurately this should be called 'Walworth Bus Garage' (Abellio are the operator and thus may change during the plan period). Given it is unlikely that this bus garage will be 'surplus to requirement' within the plan period, an option for developing 'over' the garages, whilst retaining or enhancing the garage function, could be included

This is a part/wholly TfL-owned site, so TfL Commercial Development will provide more detailed comments.

Page 217 AV.08.2 Development in Elephant and Castle

Bullet point 5 '*Development in Elephant and Castle should...Improve the train station*'

This should be clarified as 'train station' could be taken to be the National Rail station; to date there are no known plans to improve the inside/platforms of the NR station, only to provide level access to the western entrance through the Elephant and Castle Town Centre proposal. There are plans to improve the Elephant and Castle London Underground station (Northern line ticket hall).

Bullet point 5 or a new bullet point should specifically mention the Bakerloo line extension, which may require land to be safeguarding in the OA, as per the Old Kent Road Area Vision (AV12.2).

Page 222 - NSP43: Bakerloo Line Sidings and 7 St George's Circus

This is a part/wholly TfL-owned site, so TfL Commercial Development will provide comments.

Page 234 NSP47: Elephant & Castle Shopping Centre and London College of Communication site vision diagram

It is not clear what the 'vertical' '*Improved connectivity for pedestrians and cyclists*' arrow in the middle of Newington Butts signifies. TfL has recently completed the northern roundabout removal scheme, so it is suggested this arrow is deleted.

A matter of detail, but the 'horizontal' arrow should link, at its western end, to the pedestrian crossings on Newington Butts ie kinked slightly down, as it ends in the carriageway as shown currently.

The 'curved' arrow relies on access through the National Rail station, which is not a public right of way and is not always open, so this is perhaps slightly misleading. The arrow should be curtailed at the eastern end, to the entrance to the station.

Page 235 - NSP48: London Southbank University Quarter

This could specifically mention the need for development to protect and enhance CS7, which runs alongside the site.

Page 263 AV.12 Old Kent Road Area Vision

TfL will be providing detailed comments on the latest version of the Old Kent Road Area Action Plan. However it is of course vital that the draft NSP and AAP are broadly aligned. As such, a summary of TfL's position is given below:

- 1) The case for the Bakerloo line extension (BLE) is dependent to a significant degree on the extent to which the scheme can be shown to unlock new homes and jobs (not vice versa) and the scheme is required to support 'good growth' and thus be in conformity with the London Plan. This must be made very clear in policy.
- 2) There must be a clear cap on development until there is a level of certainty over delivery of the BLE. Without this, there is no certainty that 'good growth' can occur. The absence of an effective mechanism for phasing development would thus undermine confidence that the BLE can be delivered, and thus undermine developer confidence in the area as a whole.
- 3) Funding must be recognised as an issue. To not do so would further undermine confidence in the area as it would suggest that a/the key issue has not been recognised. The document should also set the context for the principle that the high level of development envisaged that can only come forward with the BLE (as recognised in point 2) and must provide a source of funding for it.
- 4) There must be a clear mechanism to show how the cap will be applied (and released), linked to existing policy designations. In effect this therefore has to link to the release of Protected Industrial Land (both Strategic and Local) as identified in the current local plan and in terms of the former as SIL in the London Plan. This has the benefit of allowing a suitable level of development prior to more certainty on the BLE's delivery (c6-10k new homes), providing a suitable spread along the length of the OKR and maintaining consistency with the London Plan.
- 5) The phased release of PIL and subsequent delivery of development must then be clearly linked to certainty around the BLE. Aside from the planning benefits / necessity, this approach would also serve to increase values for housing delivery which would then improve the funding case for the BLE.

It is therefore suggested that the fundamental principle of phasing development in advance of the BLE and of development contributing towards the funding of the scheme is reflected, in summary form, in 'AV.12.3 *Growth opportunities in Old Kent Road*'. Also, there should be a sentence that explains that not all the sites listed will be able to be developed immediately, and that some will, for the full vision, be dependent on BLE delivery i.e. later in the plan period.

AV.12.2 should also mention the need for development to support improvements to the Old Kent Road itself, in line with the 'Healthy Streets Approach'. This could include land 'set back' in appropriate sites fronting the Old Kent Road where it would reduce car dominance, promote walking and cycling, improve facilities for buses and provide opportunities for greening and urban realm improvements, so it would be helpful if this was also stated explicitly. Similarly, it could specifically mention that development should minimise impacts on Old Kent Road, and the wider OA more generally, in terms of deliveries and servicing.

The second bullet point in AV 12.2 mentions 'electric buses'. This could most usefully be changed to 'cleaner' buses, in order not to be too specific, for example TfL also has hydrogen buses that can be classed as 'zero emission'

The second bullet point in AV 12.2 could mention specifically the need for development to support expansion of cycle hire to the area

Page 266 NSP55: Bricklayers Arms Roundabout

Any proposals for reconfiguring Bricklayers Arms junction would need to be subject to a detailed assessment of the impacts (particularly bus impacts, as the policy mentions) and appropriate mitigation measures, as well as identifying and securing funding. TfL would have to agree any changes, as Highway Authority. The policy should acknowledge this.

Note that the BLE team are currently investigating the feasibility of a BLE station at Bricklayers Arms, and this could clearly have significant implications for the site and the junction should it be chosen as a station location.

The 'Existing uses' box seems to be incorrect – currently it is open space, highway and footway.

Page 270 NSP57: Mandela Way

Specific mention should be made of the need to protect the existing bus garage/parking, in line with other sites that have a similar use i.e. wording from the Blackpool Road Business Park '*Retain or re-provide bus garage (sui generis), subject to need*'.

The possibility that this is a potential site for a Bakerloo line extension station (laundry site) should be acknowledged, as this was identified in last year's public consultation. (see also general comments on site allocations, above)

Page 272 NSP58: 107 Dunton Road (Tesco store and car park) and Southernwood Retail Park

A statement on the approach to future car parking provision could be made here, given the high level of current surface car parking and the possibility of a future BLE station in the vicinity.

There is currently an important bus stand adjacent to the site, in Humphrey Street. This will need to be protected/enhanced in any future redevelopment.

Page 286 - NSP 65: Land bounded by Glengall Road, Latona Road and Old Kent Road

A statement on the approach to future car parking provision could be made here, given the high level of current surface car parking and the possibility of a future BLE station in the vicinity.

No pedestrian/cycle routes are shown on the 'site vision' plan e.g. the 'Surrey Canal route' which is proposed to cross the site – is this conscious decision ?

Page 291 - NSP67: Sandgate Street and Verney Road

The possibility that this is a potential site for a Bakerloo line extension station should be acknowledged (see also general comments on site allocations, above)

Page 309 AV.13.2 Development in Peckham

The fifth bullet point could include specific mention of the need for development to support expansion of cycle hire into Peckham.

Page 311 - NSP75: Aylesham Centre and Peckham Bus Station

The existing bus station will most likely need to be re-provided, and preferably enhanced within any new development. This is a part/wholly TfL-owned site, so TfL Commercial Development will provide more detailed comments.

A statement on the approach to future car parking provision could be made here, given the high level of current surface car parking in a key town centre/high PTAL location.

Page 314 - NSP76: Blackpool Road Business Park

As per previous representations, the bus garage use will need to be retained with any redevelopment of the site, unless a suitable alternative bus garage location is identified.

Page 322 - AV.14.2 Development in Rotherhithe

The sixth bullet point could mention specifically the need for development to support expansion of cycle hire to the area

Page 334 - AV.14.2 Development in Walworth

The need for development to support cycle hire expansion further into the Walworth area could be explicitly stated in bullet point three.

Annex 1 Cycle and Car parking

Table 1 – Residential Cycle and Car parking standards

Table 1 reproduces 'for reference' the London Plan (2015) parking standards. However, the NLP has now been published for consultation, so in time the 2015 version will be superseded, possibly in a similar timescale to, or not long after adoption of the NSP. As such, it is suggested that the 2015 standards are deleted and/or it is made clear that they are subject to change as the NLP is in the process of being developed.

As Southwark is an inner London borough, to be in future conformity with the NLP Policy T6.1, there should be zero residential parking in PTAL 4 areas (not 0.25 space per unit).

The NLP states that residential cycle parking should be provided at 1 space per studio, 1.5 spaces per 1 bedroom unit, 2 spaces per all other dwellings. The standards should be updated where necessary to reflect this, to ensure future conformity with the NLP.

Table 2 – Minimum cycle parking standards for non-residential uses

The table should be reviewed in light of the NLP (Policy T5), to ensure future conformity. Mention of the 2015 London Plan could be deleted or caveated, as explained above.

Table 3 – Maximum car parking standards for non-residential uses

The table should be reviewed in light of the NLP (Policy T6.2 and T6.4), to ensure future conformity. Mention of the 2015 London Plan could be deleted or caveated, as explained above.

It is suggested that the table is updated to delete standards for some of the less common land uses (i.e. the non-employment uses), and instead these uses are determined on a case-by-case basis, with the presumption of 'car free' bar essential operational requirements in PTAL 4-6 (as per NLP policy T6.4). This would greatly simplify the table, as would deleting the 2015 London Plan and existing Southwark standards.

There appears to be a typo in the first row – A1 is cited, but not mentioned in the description and table 4 appears to cover retail development.

The B1/B2/B8 employment uses standards should support 'car-free' development throughout the borough, with a degree of flexibility specifically for B2 and B8, as per NLP policy T6.2.

Table 4 – Maximum car parking standards for town centres

The table should be reviewed in light of the NLP (policy T6.3), to ensure future conformity. NLP policy T6.3 requires all retail in PTAL 5-6 to be 'car free' and a maximum of 1 space per 75m² (GIA) in the rest of the borough.

As explained above, it is suggested that the 2015 London Plan standards are deleted and/or it is made clear that they are subject to change as the NLP is in the process of being developed.



DP3796/HWM/HPM/GR

26 February 2018

New Southwark Plan
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Dear Sir or Madam

NEW SOUTHWARK PLAN: PROPOSED SUBMISSION VERSION

On behalf of our client, GPE (St Thomas Street) Limited (c/o Great Portland Estates plc), we wish to make representations pursuant to the New Southwark Plan: Proposed Submission Version. Our client are the freehold owners of the site at New City Court; Keats House; and Nos. 4-8 and 12-16 St Thomas Street in the London Bridge area. Our client's site currently accommodates office uses, and presents a significant development opportunity to deliver regeneration in the London Bridge area.

These representations are made pursuant to Chapter Seven 'Development Management Policies' and Chapter Eight 'Area Visions and Site Allocations – AV 10. London Bridge'.

Chapter Seven – Development Management Policies

1. Policy P12: Design Quality

- 1.1 This policy requirement for all developments to provide high standards of design is welcomed and will ensure regeneration in Southwark positively contributes to the creation of a high class urban environment.

2. Policy P14: Tall Buildings

- 2.1 The policy directs tall buildings towards areas with highest levels of public transport and the greatest opportunity for regeneration, such as in the designated Town Centres, Opportunity Areas and the CAZ which is supported.
- 2.2 The requirement for tall buildings to provide publicly accessible space "*at or near to the top*" of the building however is overly prescriptive and does not recognise the value that publicly accessible space at lower levels of a building or at ground floor can provide.
- 2.3 The need for tall buildings to be located at a point of townscape significance does not recognise the role that tall buildings can play in creating new areas of townscape significance and stimulating regeneration. In addition, the height of tall buildings need

not necessarily be linked to the size of a site as Policy P12 sufficiently ensures development, of any height, will be of a high standard of design.

2.4 The proposed wording should therefore be revised as follows:

“Tall buildings are significantly higher than surrounding buildings or their context. The highest tall buildings will be located in areas that benefit from the highest levels of public transport access where there is the greatest opportunity for regeneration. Typically, this will be in our major town centres, Opportunity Areas and the Central Activities Zone.

New tall buildings must:

- 2.1 Be located at a point of townscape significance and have a height that is proportionate to the significance of the proposed location and the size of the site; and*
- 2.2 Respond positively to local character and townscape; and*
- 2.3 Be of exemplary architectural design and residential quality; and*
- 2.4 Make a positive contribution to the London skyline and landscape, taking into account the cumulative effect of existing tall buildings and emerging proposals for tall buildings; and*
- 2.5 Not cause a harmful impact on strategic views, as set out in the London View Management Framework, or to our Borough Views; and*
- 2.6 Avoid unacceptable harm to the significance of designated heritage assets or their settings; and*
- 2.7 Avoid harmful and uncomfortable environmental impacts including wind shear, overshadowing and solar glare. Detailed modelling and analysis will be required to assess these impacts; and*
- 2.8 Maximise energy efficiency and prioritise the use of sustainable materials; and*
- 2.9 Have a positive relationship with the public realm, provide opportunities for new street trees, and design lower floors to successfully relate to and create a positive pedestrian experience; and*
- 2.10 Provide a new, functional public space that is commensurate to the height and size of the proposed building when above a height of 30m, or 25m in the Thames Policy Area, and widened footways and routes to accommodate increased footfall; and*
- 2.11 Provide a new publicly accessible space ~~at or near to the top of the building~~ and communal facilities for users and residents when above a height of 60m.”*

3. Policy P26: Office and Business Development

- 3.1 This policy requires sites in the CAZ, town centres and opportunity areas to increase the amount of employment floorspace on site. This is welcomed as an effective means of delivering the strategic objective of ensuring Southwark has a strong local economy.
- 3.2 However, the need to submit marketing strategy for the use and occupation of new employment floorspace does not appear to be justified, as there is an identified need to deliver around 460,000sqm of new office space to meet demand in Southwark.
- 3.3 The current wording of this policy is also unclear and would benefit from clarification to ensure it can be effectively applied. The condition should be reworded as follows:

*“1. In the Central Activities Zone, town centres, ~~and~~ opportunity areas and ~~where specified in site allocations~~ **identified for continued employment uses, development on existing employment sites must:***

~~1.1 Retain or increase the amount of employment floorspace (GIA) on-site (B class use or sui generis employment generating uses), ~~and~~~~

*~~1.2 2. On sites where it is appropriate, feasible and viable for housing to be incorporated into existing employment sites without compromising their employment use, ~~Promote~~ the successful integration of homes and employment space **should be considered through ~~in~~ the physical layout of developments and approach to servicing. ~~in areas that will accommodate mixed use development.~~ Housing can be incorporated into mixed use development alongside ~~This will include~~ a range of employment spaces including freight, logistics, light industry, co-working, maker spaces and offices, ~~and~~**~~*

~~1.3 Provide a marketing strategy for the use and occupation of the employment space to be delivered to demonstrate how it will meet current market demand; or~~

23. In exceptional circumstances, the loss of employment floorspace may be accepted in the Central Activities Zone, town centres, opportunity areas and where specified in site allocations where the retention or uplift in employment floorspace on the site is not feasible. This must be demonstrated through a marketing exercise for two years immediately prior to any planning application, for both its existing condition and as an opportunity for an improved employment use through redevelopment which shows there is no demand.”

4. P50: Cycling

- 4.1 This policy encourages increased use of bicycles by requiring development to provide secure cycle parking for building users and visitors with commercial developments also required to provide showers and changing facilities that are proportionate to the number of cycle parking spaces. This commitment to cycling as a sustainable mode of travel is welcomed.
- 4.2 Whilst the delivery of cycle spaces in public areas is supported generally, provision should not be detrimental to the quality of public realm proposals, especially in congested urban spaces. The location of external cycle parking facilities should consider the impact on the usability of public realm and the wider regeneration ambitions for an area generally. The policy should incorporate flexibility to promote cycle spaces in the public realm but not to the detriment of achieving high quality public spaces.

Chapter Eight – Area Visions and Site Allocations

5. AV.10 London Bridge Area Vision Map

- 5.1 The London Bridge Area Vision Map is a helpful aid in visualising the location of the site allocations. However, the map should be amended to include the site allocation set out overleaf.

6. AV.10.1. London Bridge Area Vision

- 6.1 The image of London Bridge as a globally significant central London business district, which is home to international business headquarters, is welcomed. Regenerating the area to provide new high quality office space will help reinforce this position.

7. AV.10.2. Development in London Bridge

- 7.1 Global commerce is important to London Bridge and whilst recognition of the need to attract this is positive, the Area Vision should further emphasise this, with direct reference to the need to develop increased and high quality office provision which will further build on London Bridge's reputation for trade and commerce.
- 7.2 The inclusion of support for the development of a new high street on St Thomas Street is welcomed. This should include the introduction of new (and vibrant) retail uses alongside new public realm to promote streetscape activity and provide attractive amenity to workers, residents and visitors.
- 7.3 The requirement for development to make sure '*the Shard remains significantly taller and more visible than surrounding buildings as the station's landmark*' is overly prescriptive. The development and regeneration of the London Bridge area is an evolving process, which the development of the Shard has made a significant contribution to. Policy should maintain flexibility in Opportunity Areas to ensure regeneration ambitions can be achieved.

8. AV.10.3. Growth opportunities in London Bridge

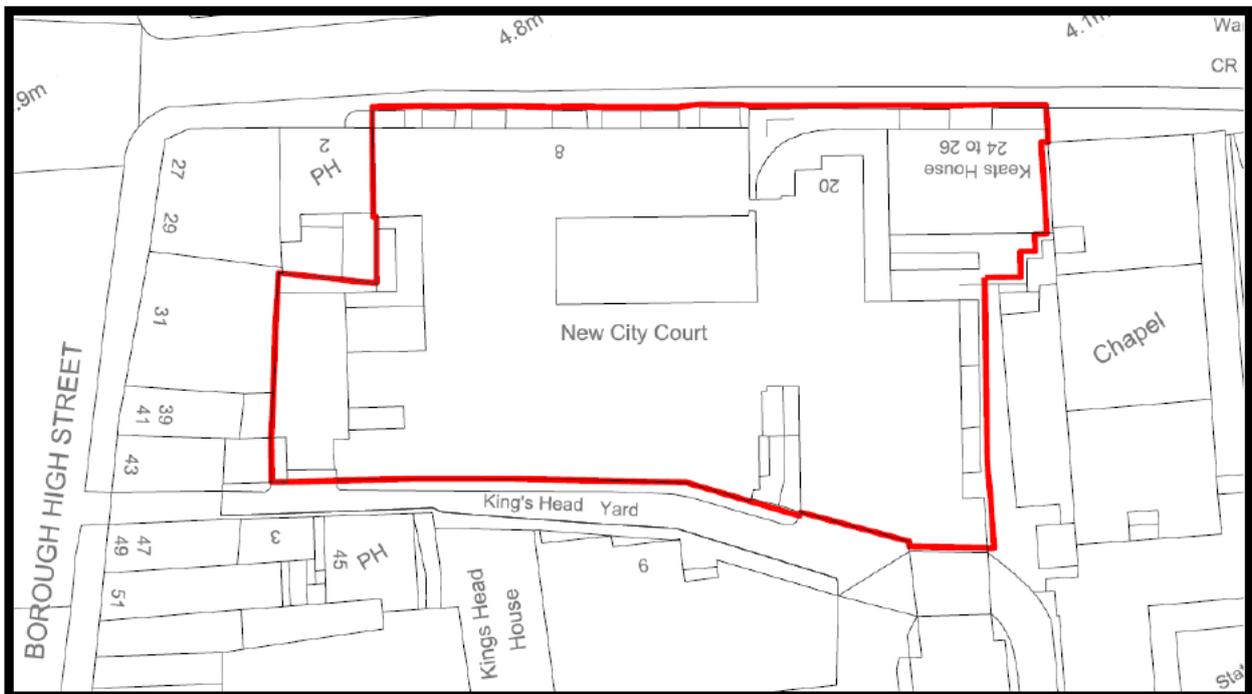
- 8.1 The acknowledgement of London Bridge as a growth opportunity is recognised as a positive contribution to the Area Vision. However, greater detail should be included on the potential the area has to develop its provision of commercial premises. Specifically, emphasis should be paid to the identification of the London Bridge, Borough and Bankside Opportunity Area in the London Plan. The Opportunity Area specifies an indicative employment capacity of 25,000 and states that there is scope to develop the strength of the area for strategic office provision. This should be incorporated into the Area Vision for London Bridge.
- 8.2 Policy 2.13 of the current London Plan requires Boroughs to develop detailed policies for opportunity areas and Policy SD1 of the Draft London Plan requires Boroughs to clearly set out how they will encourage and deliver the growth potential of Opportunity Areas through Development Plans. To ensure consistency with the London Plan, it should be more clearly distinguished how the vision for London Bridge relates to the potential growth of the Opportunity Area.
- 8.3 Further consideration of retail as a growth opportunity in London Bridge should also be included. The anticipated growth in office provision in the area will necessarily result in an increase in office workers in the area, who will require retail premises to serve their needs. This presents a further opportunity for London Bridge to grow as a retail destination, and should be identified as such in the Area Vision.
- 8.4 The proposed wording should therefore be revised to read:

"London Bridge is part of central London and has been identified in the London Plan as part of the London Bridge, Borough and Bankside Opportunity Area with an indicative employment capacity of 25,000. London Bridge therefore has the potential to grow its strategic office provision, supported by new shops, leisure, culture, science and medical facilities. In particular, retail growth in the area will be important to support the delivery of new offices."

9. London Bridge Site Allocations

- 9.1 We present an additional site below to be allocated as a key development opportunity in London Bridge. The inclusion of this site within the New Southwark Plan will provide an opportunity to achieve the spatial, social and economic objectives sought by the emerging development plan such as increased accessibility to London Bridge Underground Station, create a newly enhanced yard within the site and support a vibrant new high street on St Thomas Street.
- 9.2 Our client has engaged in discussions with the Council about a significant development opportunity on the site to deliver new office and retail uses alongside vibrant public realm. It is anticipated a formal planning submission will be made in summer 2018.

Proposed Site Allocation:





Site Description: The site is bounded by St Thomas Street to the north-east, King’s College London and Guy’s Hospital to the south-east, King’s Head Yard to the south-west and 27-43 Borough High Street to the north-west. The site is occupied by New City Court and Keats House, and currently provides office floorspace approaching functional obsolescence. Grade II listed Georgian Terraces front onto St Thomas Street, which are interconnected with modern extensions to the south of the site. Buildings in the locality of the site vary in scale, design and use. To the north and east there are modern offices including The Shard, City Hall, More London and London Bridge Station. To the south and east are smaller offices and a variety of town centre uses. London Bridge Health Cluster is to the east.

Site Area: 3,400 m²

Site Vision:

Redevelopment of the site must:

- Contribute towards the thriving employment cluster in London Bridge by providing an uplift in office floorspace.
- Enhance the vitality of St Thomas Street and New City Court by providing high quality open spaces and active street frontages at ground floor level.
- Increase permeability through the site.

Opportunity Site:

New City Court; Keats House and Nos. 4-8 and 12-16 St Thomas Street

PTAL and Density Area:

6b

Central Activities Zone

Required Uses:

Office (B1a)

Town Centre Uses at Ground Floor (A1/A2/A3/A4)

Design and Accessibility Guidance:

Any redevelopment should contribute towards creating a vibrant new high street along St Thomas Street and a new retail destination at New City Court. Redevelopment should provide an attractive street frontage that allow visitors to explore and enjoy the area.

Redevelopment of this site should increase permeability for pedestrians through the site and explore the potential to provide an additional entrance to the London Bridge London underground station.

Concluding Remarks

We look forward to receiving acknowledgement of receipt of these representations and request that we be notified of further opportunities to comment on the draft plan accordingly. If you require further information or clarification on the representations above then please contact [REDACTED] at this office.

Yours sincerely,

[REDACTED]

DP9 LTD.

Part A: Contact details

If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in the next section.

1: Personal details

Title:

First Name:

Last Name:

Organisation (Where relevant):

Position (Where relevant):

Address line 1:

Address line 2:

Address line 3:

Postcode:

Email:

Telephone:

I am a former resident of Walworth and East Dulwich. I also used to work at CAN Mezzanine, in Borough. I moved to Streatham on 30 December 2017 due to an unsustainable living situation. I still spend much of my time in Southwark and have every intention of returning as a resident. I am heavily involved in a number of volunteer project within Southwark, through my work with the community group Peckham Vision. Additionally, I currently work for a group of nurseries that have four locations in Southwark. Despite not being a current resident, I have a very strong personal and historical connection with the borough. This is why I am making representation on the New Southwark Plan.

2. Agents details (if applicable)

Title:

First Name:

Last Name:

Organisation:

Position:

Address line 1:

Address line 2:

Address line 3:

Postcode:

Email:

Telephone:

Part B: Representation

Please select **one** policy per form to select which part of the plan you wish to make a representation on. The one option you select should be the item you should be commenting on in the subsequent boxes below. If you want to comment on more than one part of the plan, please submit part B again.

1. To which part of the New Southwark Plan does this representation relate to?

Implementation policy:

Development Management policy:

Area Vision:

Site Allocation:

Proposal Map:

Other:

2. Do you consider the document to be legally compliant in accordance with the Town and Country Planning (Local Planning) (England) Amendment Regulations 2012?

Yes

No

3. Do you consider that the New Southwark Plan is Sound?

Yes

No

4. Do you consider that the New Southwark Plan is unsound because it is not?

Effective

Justified

Consistent with national policy and the London Plan

Positively prepared

5. Please give details of why you consider the New Southwark Plan not to be legally compliant or unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the New Southwark Plan, please also use this box to set out your comments.

The policy Best Start in Life P23 Education Places in the New Southwark Plan is unsound because it has not been positively prepared with regard to education place provision required for families, in line with other policies around sufficient provision for housing families in the borough.

Clear minimum requirements for building family homes are not reflected with equally clear minimum requirement for provision of education places. Additionally, “education places” are not adequately defined to ensure that they are understood to cover the needs of all children, from nursery through to high school and further education. Throughout the plan, education places are commonly referred to as “School Places”, which infers children at “school age” (5+) therefore excluding under 5s and not addressing needs for early education.

In policy P2 New Family Homes. There are clear minimum thresholds for housing families in Southwark within the New Southwark Plan.

Major residential developments, including conversions, must provide the following housing mix:

- 1.1 A minimum of 60% with two or more bedrooms; and
- 1.2 A maximum of 5% studios, which can only be for private housing; and
- 1.3 The maximum number of bed spaces for the number of bedrooms where they are social rented; and
- 1.4 A minimum of homes with three or more bedrooms as set out in Table 2 and Figure 1; and
- 1.5 Family homes in apartment blocks should be on lower floors to improve access to outdoor amenity space and allow oversight of children outside.

(Page 26)

The reasons given for the need to build new family homes are fair and reasonable:

Building more family housing will help to address overcrowding, provide opportunities for families to live in all of our neighbourhoods, benefitting their health and wellbeing, and increase opportunities for foster care. Our Strategic Housing Market Assessment (SHMA) shows that we need 96% of new social rented homes and 36% of new intermediate tenure homes to provide three or more bedrooms. We require a minimum proportion of new homes to provide two beds or more because studios and one bed homes are unsuitable for families.

(Page 26)

There are also clear targets on providing affordable housing within the borough, as it is recognised that there is a shortage of affordable homes in the borough:

There is a shortage of affordable homes in Southwark and across London. Providing new affordable homes suitable for a range of affordable housing need is our main priority. This includes social rent and intermediate tenure homes. Our evidence shows that Southwark has a net additional housing requirement for 1,472 to 1,824 homes per year (2013-2031). Due to the high cost of market housing our annual net affordable housing need is for 799 homes per year² (this accounts for approximately 48% of Southwark’s total annual housing need). Low cost home ownership homes must be affordable to Southwark residents.

(Page 22)

The New Southwark Plan also recognises that the lack of affordable housing is causing issues with over-crowding, which has a negative effect on children and families:

Overcrowding is strongly related to poor physical and mental health and can strain family relationships. Children in overcrowded homes often achieve poorly at school and suffer disturbed sleep. Social rented housing is vital to social regeneration as it allows residents with who cannot afford suitable market housing to remain close to their families, friends and employment.

(Page 21)

While the policies on housing provide clear minimum thresholds for family provision, there is no clarity on minimum thresholds for education places (particularly pre-school, primary and secondary school), which will be an obvious resource necessity for families living in the borough

Best Start in Life P23. Education Places does make clear that development should not reduce the number of education places and does make mention of the need for provision of new school places:

Development should not lead to the loss of existing educational facilities unless there is reprovision in an area of identified need or they are surplus to requirements as demonstrated by pupil or student projections.

[...]

Where additional school places for new residents are needed, development must provide these by providing new school places.

(Page 52)

However, this wording is vague and it does not clarify the requirement to provide educational places in-line with the policy on providing family homes (which by default means that there will be children).

Additionally, there is lack of clarity as to how “Education Spaces” are defined. There is reference to pre-school (Early Years education) at the beginning of the policy, but it seems to be defined as separate from “school”, as this is listed separately:

Development of educational facilities will be permitted where proposals provide pre-school, school, higher and further education places to meet identified needs and where there are sports, arts, leisure, cultural or community facilities that are shared with local residents.

(Page 52)

For the remainder of the policy and throughout area vision “school places” are referred to, however this implies that the requirement would be for school places (over 5s) and does not include Early Years education.

It is important to include Early Years education spaces when talking about “Best Start in Life”. There are a number of studies that show the importance of early education in children’s development.

- **Early Education Use and Child Outcomes up to Age 3** (2017) Published by the Department for Education
<https://www.gov.uk/government/publications/early-education-use-and-child-outcomes-up-to-age-3>
- **Pre-school and early home learning: effects on A level outcomes** (2015) Published by the Department for Education
<https://www.gov.uk/government/publications/pre-school-and-early-home-learning-effects-on-a-level-outcomes>
- **The Effective Provision of Pre-school Education** (2002). Authors: Kathy Sylva, University of Oxford; Edward Melhuish, University of Wollongong; Pam Sammons, University of Nottingham; Iram Siraj-Blatchford, University of Wollongong; and Brenda Taggart, University of London.
<http://ro.uow.edu.au/cgi/viewcontent.cgi?article=3155&context=sspapers>

6. Please set out what change(s) you consider necessary to make the New Southwark Plan legally compliant or sound. You will need to say why this change will make the New Southwark Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

If the New Southwark plan is making clear that there is a requirement for new development to include 60% family homes (2+ bedrooms), it would be sound to include a minimum requirement in-line with this for education places.

Additionally, the wording of such requirement should make clear that “education places” includes space for children at all levels of education: nursery through to high-school and further education. All instances in the plan that read “school places” should be amended to “education places” and there should be a clear definition within the P23 Education Places policy that explains education places to include pre-school/nursery, primary school and secondary school places.

Without clarity in the policy there is a risk that housing developments will be approved without adequate education facilities for the families who live there. Clear wording for this should be included in both P2 New Family Homes and P23 Education Places, as it is important that there is a clear link between both policies.

Suggested re-written versions of the policies are as follows, with changes and additions highlighted in yellow.

P2: New family homes

Major residential developments, including conversions, must provide the following housing mix:

- 1.1 A minimum of 60% with two or more bedrooms; and
- 1.2 A maximum of 5% studios, which can only be for private housing; and
- 1.3 The maximum number of bed spaces for the number of bedrooms where they are social rented; and
- 1.4 A minimum of homes with three or more bedrooms as set out in Table 2 and Figure 1; and
- 1.5 Family homes in apartment blocks should be on lower floors to improve access to outdoor amenity space and allow oversight of children outside
- 1.6 A minimum provision of adequate facilities for families who will be resident in the development, particularly including education places (pre-school, primary school and secondary school). If facilities do not already exist they must be provided in partnership with the development.

P23: Education places

- 1 Education places are defined as including education at all age levels, from birth through to adulthood. This includes pre-school, primary school, secondary school and further education.
- 2 Development of educational facilities will be permitted where proposals provide pre-school, school, higher and further education places to meet identified needs and where there are sports, arts, leisure, cultural or community facilities that are shared with local residents.
- 3 Development should not lead to the loss of existing educational facilities unless there is re-provision in an area of identified need or they are surplus to requirements as demonstrated by pupil or student projections.

4 In line with P2. New Family Homes (page 27), where there is a requirement that all major residential developments provide a minimum 60% of houses with two or more bedrooms, sufficient provision must be provided for education places for new residents, if sufficient provision does not already exist, development must provide new education places alongside housing.

5 Development of school places must provide sufficient floor space for teaching, halls, dining, physical education, staff and administration activities, storage, toilets and personal care, kitchen facilities, circulation, plant and any non-school or support functions such as special needs facilities. Schools must receive adequate daylight and sunlight, provide high quality external areas that avoid sightlines from neighbouring homes, have good internal and external air quality and support safe travel by pupils.

Part D: Public Examination (required)

If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral examination

Yes, I wish to participate at the oral examination

It is vital that your contact details are submitted correctly to ensure that you can be contacted if you wish to participate in the public examination. Please tick the checkbox to confirm that the details which have been provided are correct.

I confirm that all details provided are correct

Part E: Equalities monitoring

Equality and engagement with our diverse communities is central to the day to day delivery of our Southwark Council Services. To deliver on our commitment to a fairer future, we need to collect some equality information about you. This also forms part of our legal responsibilities under the Public Sector Equality Duty of the Equality Act (2010).

We would therefore appreciate it if you could spend a few minutes filling in the details below. This information helps us to measure and analyse how well we are engaging with all those who live and work in the borough. Please do remember that whilst this information is very useful for our work, you are not obliged to answer or complete any or all of this information. Southwark Council is the data controller for the purposes of the Data Protection act.

Age:

Under 16

16-17

18-24

- Edinburg
- Glasgow
- Manchester



CHARTERED SURVEYORS

5 Bolton Street
London W1J 8BA

Tel: [REDACTED]
Fax: [REDACTED]

www.montagu-evans.co.uk

PD11316/JWB/WE
[REDACTED]

27 February 2018

Planning Policy Team Leader
London Borough of Southwark
Chief Executive's Department
FREEPOST SE1919/14
London
SE1P 5LX

By email: planningpolicy@southwark.gov.uk

Dear Sir/Madam,

**TOWN AND COUNTRY PLANNING (LOCAL PLANNING) (ENGLAND) REGULATIONS 2012
THE NEW SOUTHWARK PLAN PROPOSED SUBMISSION VERSION
REPRESENTATIONS ON AREA VISION 13 – PECKHAM: SITE NSP76 BLACKPOOL ROAD BUSINESS PARK**

Montagu Evans acts on behalf of the Grafton Group who are the freehold owners of the "Buildbase" site located on Blackpool Road. The site forms the majority of the southern portion of allocation NSP76 (formerly NSP57 in the preferred options draft of the New Southwark Plan).

These representations follow those made on the previous version of the New Southwark Plan ("NSP") (dated 28 April 2017). Those representations set the background to the site and provided our initial support for the emerging allocation, identifying key changes to the allocation that were considered necessary to ensure it presented the most appropriate strategy. We do not repeat these matters in full and attach a copy of these previous representations for ease of reference (Appendix 1).

Since our previous representations, the Grafton Group have been in discussion with a highly regarded London property developer to explore the development potential of the site, and to enter in to a joint venture to deliver the site in line with the emerging allocation. Work is progressing well, and we would welcome the opportunity to meet with officers in advance of the NSP Examination in Public. This would allow us to discuss these representations and emerging scheme, with a view to reaching an agreed position that can be presented to the Inspector within a Statement of Common Ground (SoCG), thus demonstrating confidence in the deliverability of the allocation.

Summary of Representations

We have reviewed the proposed submission version of the NSP, and set out below our comments having due regard to the tests of soundness set out in Paragraph 182 of the NPPF. Our client continues to support the overarching approach taken by NSP76, however, we are of the opinion that the allocation as currently drafted is **unsound**.

It is recognised that this site is well used by the local community, providing an important economic function for Peckham. It is anticipated that the masterplanning of the site will consider how best to deliver an appropriate re-provision of this use, in a form that is complementary to the wider housing delivery objectives of the NSP and the allocation.

Whilst our client welcomes changes made to the allocation in regard to the quantum of uses and to improve flexibility in delivery, it is considered that more guidance should be given to encourage development on our client's land as the allocation currently focusses on the northern part of the site. Additionally, the allocation does not accurately reflect the existing uses on site.

Consequently, it is considered that the allocation is not based upon accurate evidence, nor is it justified in its approach. As a result, it is considered to be ineffective and therefore **unsound**.

However, we are of the opinion that allocation NSP76 can be made sound by:

- updating the description of exiting uses;
- providing design guidance on pedestrian routes that relates to the whole of the allocation;
- providing design guidance on the suitable land uses for the southern element of the site; and
- providing design guidance on the approach to building heights.

Allocation NSP76

We welcome the revisions made to Allocation NSP76 since the previous round of consultation which go some way to addressing our previous concerns. These include simplifying the employment space requirements, the site vision diagram, and a statement on the future of Blackpool Road itself.

However, a number of important issues remain of concern to us and need to be addressed in order to ensure that the NSP can be found sound.

Existing Uses

As noted in our previous representations, the description of the site must accurately reflect the existing uses found on site. The description of the site under NSP76 (page 315) makes reference only to "Business and industrial uses (B1, B2, B8) – 13,017 m²". This is factually incorrect and does not reflect the lawful uses located on site.

The allocation includes land on which there are a number of other current lawful uses, including:

- Sui Generis Bus Garage
- Class A1 Builder's Merchant (Sale of building supplies to the general public)
- Sui Generis – Builder's Merchant storage yard
- Sui Generis – Plant Hire
- Class C3 Residential

For the allocation to be considered sound, it must be justified by being based on proportionate evidence. Whilst it is acknowledged that the majority of the site is reflected by the current description, this is predominantly focussed on the area to the north of Blackpool Road. Updating NSP76 to reflect the actual composition of uses would overcome our concerns in this regard.

Design Guidance

At present, the Design and Accessibility Guidance section of NSP76 focusses on how proposals should come forward for the northern part of the site. There is no discussion, however, as to how the remainder of the site should be brought forward to optimise its re-development potential. This represents a missed opportunity.

The allocation does not indicate that the site needs to come forward under a single masterplan – a position supported by us, particularly given the division created by Blackpool Road and the potential retention (or re-provision) of the bus garage.

It is, however, important to maximise the effectiveness of the allocation to ensure that when the two different elements come forward for consideration, the proposed form of development on either one does not prejudice the potential for the site in its entirety to make a continued contribution to the local economy and to deliver much needed housing and complimentary uses.

Furthermore, the emerging allocation does not provide any guidance on building heights, looking only to make reference to “taller buildings” being located on the northern part of the site. Unlike neighbouring sites which feature in the Peckham and Nunhead Area Action Plan, no guidance on building heights is provided across the allocation.

As set out within our previous representations, the Council’s Urban Design Study does not discount this site as being suitable for tall buildings. We believe that the site’s size and capacity should be properly assessed in this regard. This would inform a suitable height for the allocation (which is in close proximity to allocated sites for 15 and 20 storeys – PNAAP4 and PNAAP1 respectively).

Without this guidance, NSP76 is considered to be **unsound** as it does not represent the most appropriate strategy for the site when considering the reasonable alternatives. It would lack sufficient clarity which has the potential to hinder its delivery (thus it cannot be considered to be effective).

Proposed Amendments to NSP76

An initial capacity study has been undertaken to assess how our client’s portion of NSP76 can be brought forward for development in a manner that:

- a) retains a presence for Buildbase to ensure that it continues to provide a service to the local community and to contribute to the economic strand of sustainable development;
- b) introduced north/south pedestrian links; and
- c) introduces residential units that make a significant contribution to the identified need.

To make the plan sound, we propose that Allocation NSP76 is amended in the following ways to inform the decision making process for the site (changes to current text are in bold and underlined italics for ease of reference):

Existing uses

- Business and industrial uses (B1, B2, B8) – 13,017 m²
- ***Builder’s Merchant (A1) – xxxx m²***
- ***Sui Generis Uses (Merchant Yard – xxx sq m), Bus Garage (xxxx m²), Plant Hire (xxx m²)***

Design and Accessibility Guidance

The site is not located within an Archaeological Priority Area or conservation area. An archaeological assessment is required for this large site, which lies close to the site of the Camberwell Workhouse.

The site is within the setting of Rye Lane Peckham conservation area. The railway viaduct to the north of the site is an important undesignated heritage asset. Development should seek to enhance and retain Victorian heritage assets, including former industrial buildings.

The required replacement commercial uses **(Class B)** and **tallest** buildings should be concentrated towards the north of the site. Development should provide new amenity space and enhance permeability of the site with an east-west pedestrian route and exploring opportunities of opening up a route between the north side of the railway line and Bournemouth Road or Copeland Road. If the bus garage is deemed surplus to requirements any potential impacts on the bus network must be mitigated.

Land to the south of Blackpool Road should be focussed on delivering new residential uses that separate the school and homes to the south from the replacement employment space. The inclusion of a replacement for the builder's merchant with an active frontage along Blackpool Road should be considered as part of the masterplan, subject to delivering a design solution that complements the wider objectives of the allocation.

The southern part of the site should allow for continued north-south routes through the allocation, and include buildings of height that mediate the change from 8 Storeys on PNAAP 7 to the south (Copeland Road Car Park), the northern part of the allocation, and the taller allocations to the north (15 storey allocation at PNAAP 4: Copeland Road Industrial Park, and 20 storeys at PNAAP 1: Aylesham Centre).

It may be appropriate to incorporate Blackpool Road into proposals for this site to maximise development opportunity, although it remains important to retain east-west connectivity.

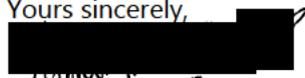
The above changes would provide what we consider to be the necessary guidance for redevelopment of the site without being overly prescriptive as to the form of development that comes forward for consideration. This is more appropriately tested through application.

Closings

We hope that the above comments are of use, and would be very pleased to answer any queries you may have. On behalf of our client we would also like to be registered on the Council's database for notifications of the subsequent Examination in Public of the New Southwark Plan and reserve our right to represent our client in future discussions.

As noted above, we would welcome the opportunity to meet with officers to discuss these representations and the initial capacity study that has been undertaken for the site with a view to presenting the EiP Inspector with an agreed position on the above wording through a SoCG..

We will be in contact to discuss the potential for this meeting, however, in the meantime please do not hesitate in contacting [REDACTED] or [REDACTED] if there are any specific questions.

Yours sincerely,

MONTAGU EVANS LLP

cc. [REDACTED] - Grafton Group

NSP SUBMISSION VERSION
GRAFTON GROUP REPRESENTATIONS
APPENDIX 1 – COPY OF APRIL 2017 REPRESENTATIONS

PD11316/WE
[REDACTED]

28 April 2017

Planning Policy Team Leader
London Borough of Southwark
Chief Executive's Department
FREEPOST SE1919/14
London
SE1P 5LX

CHARTERED SURVEYORS

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www.montagu-evans.co.uk

Dear Sir/Madam,

**TOWN AND COUNTRY PLANNING (LOCAL PLANNING) (ENGLAND) REGULATIONS 2012
THE NEW SOUTHWARK PLAN PREFERRED OPTION – AREA VISIONS AND SITE ALLOCATIONS, FEBRUARY
2017
REPRESENTATIONS ON CHAPTER 16: PECKHAM: SITE NSP57.**

Montagu Evans acts on behalf of Grafton Group who are the freehold owners of the builders' merchant site on Blackpool Road, which forms the southern part of Site NSP57.

Our client owns the freehold of the island site which is bounded by Blackpool Road, Copeland Road, Consort Road and Brayards Road – with the exception of the terrace of 3 houses fronting Copeland Road in the south-west corner of the site. The extent of our client's ownership extends to 1.42 acres of the 1.5 acre island site. We would be pleased to provide title details with you as necessary in due course.

We have reviewed the emerging New Southwark Plan ("NSP") and set out below our comments relating to Chapter 16 of the document and our client's site which forms part of emerging allocation NSP57 – Copeland Road Industrial Park.

In summary we are supportive of the overarching vision and objectives for allocation NSP57 and are willing to explore how our land can contribute to this. However, as an existing and well established business that contributes significantly to the local economy continuity of operation is essential and will be an absolute requirement of any redevelopment proposals for the site. We therefore consider that the policy needs amendment to allow for a more flexible redevelopment approach.

For ease of reference, we have set out our comments under the two questions posed on the Council's Consultation Portal.

Q1 – Do you have any comments on the proposed Peckham Area Vision?

We wholly support the Council's vision for Peckham, seeking to enhance the lively town centre and strengthen the local economy through the provision of new homes and business space.

We support the vision as set out in section 16.1 of the NPS and agree with the sentiments put forward by the Council. However, whilst it is important to look forward to what Peckham can become, it is equally important to recognise the key elements which create the foundations of its success. This includes the established local businesses, particularly those which serve a specific purpose and function that is not met elsewhere and those existing businesses that wish to retain an operational presence in this locality.

We therefore support the Council's statement in the second bullet point of 16.1.2 which states that: "*Residential development must not compromise the operation of existing commercial...uses....*"

Administrative Points

On an administrative point, we notice that 16.1.3 makes reference to London Bridge which we assume is an error and this paragraph will be updated accordingly. Similarly, the Peckham Vision Area Map is referenced as 16.3, but appears before 16.1.3 and 16.2.

It would also be useful for the Peckham Vision Area Map to include the Peckham and Nunhead Area Action Plan ("PNAAP") boundary to provide additional policy context and to strengthen the link between the two documents for when sites are being considered.

Q2 – Do you have any comments on the proposed Site Allocations in the Peckham Area?

We have several comments on site **NSP57** which cover the following issues, and which we address in turn:

- The Existing Site;
- Continuation of the Existing Employment Use;
- Proposed Employment Floorspace;
- Maximising the Extent of the Site; and
- The Location of Tall Buildings.

The Existing Site

We are of the opinion that the description of the existing site does not fully reflect the uses, and needs to be updated to ensure that NSP57 is based on the correct factual position.

The description of the existing uses on site on Page 214 of the plan is limited to Use Classes B1, B2, & B8. However, this does not fully reflect the position of the land falling under site allocation NSP57 which also includes:

- Class A1 – Sale of building supplies to the general public
- *Sui Generis* – Builder's Merchant storage yard
- *Sui Generis* – Plant Hire
- *Sui Generis* – Bus Garage
- Class C3 – Residential

NSP57 also notes that the site has a PTAL rating of 5, whereas TfL's "WebCAT" tool indicates that the site has a 5 – 6a rating (and will be wholly within 6a by 2021). This also reflects the PTALs shown in Figure 14 of the PNAAP Urban Design Study (March 2012).

Continuation of the Existing Employment Use

NSP57 has been identified as being capable of delivering 268 new homes, and in the region of 19,780 sq m of new business space - a position which we broadly support. However, we consider that there should be some flexibility over quantum of uses to not only ensure that existing employment use can be retained in the proposed development but also so that any redevelopment makes best use of the site in the policy context at the time it comes forward.

As noted above, 16.1.2 states that new residential development must not compromise the operation of existing commercial uses.

The entrance to the Copeland Park and Bussey Building site is directly opposite the north-western corner of NSP57. This is a busy commercial site that is in use 24h a day to service the many businesses that are located there.

We propose that the site vision diagram on page 215 for NSP57 is amended to direct the employment use towards the north-west corner of the site, opposite the entrance to Copeland Park. This will not only ensure that any potential conflict with proposed residential uses is kept to a minimum, but would also provide a phasing approach which could allow our client's business to relocate without a cessation in business activities subject to appropriate landownership matters being resolved.

This approach is supported by the commentary contained on pages 63-64 of The Council's 2016 Employment Land Review which states that:

"Peckham is a busy town centre and there is a strong case for protecting it such, but much less so for preserving office uses. While not ideal, the small amount of B2/B8 and sui generis space in the area is probably worth working to preserve..."

This is a wholly reasonable change to the vision document and will ensure that NSP57 is effective in delivering the redevelopment of this site without conflict with neighbouring residential uses and retaining the existing use.

Proposed employment floorspace

NSP57 states that one of the required uses for the site is:

"Small business space (B1, B2) – to existing level of provision or at least 50% of the development (whichever is greater)"

We are of the opinion that this requirement is excessive and an unreasonable request. The totality of NSP57 site has the potential to deliver a significant amount of floorspace. To require 50% of this floorspace to be in Class B1 and/or B2 use would create quantum of business development that has not been justified by the NSP evidence base.

Indeed, this evidence base does not include anything relating to employment space requirements and the Council's 2016 Employment Land Review concludes that:

"In the south of the borough we do not see particular reason to promote new employment sites but we recognise the role that existing employment premises play in providing local services.... "
(page 102)

As this site falls within the PNAAP boundary, any scheme which comes forward would need to be assessed under PNAAP Policy 6: Business Space. This supports the provision of new business floorspace and requires existing floorspace to be retained unless an exception can be demonstrated in accordance with the Council's borough-wide employment policies. This protects the quantum of workspace on site. In our view it is not simply a matter of requiring a pre-defined quantum of floorspace. What is more important is the type of space and the uses it allows opportunity for.

On this basis, we are of the opinion that whilst an indicative development capacity for non-residential uses can be included in NSP57 to guide development, the Policy requirement for the business space requirement noted above duplicates policy and therefore serves little purpose. The wording also precludes the existing business uses by virtue of only making reference to Use Class B1 and B2, which is contrary to PNAAP Policy 6(3).

We also note that the emphasis of Policy NSP57 is for the creation of "small business space", with repeat emphasis in the Policy on "small". PNAAP Policy 6 already requires new business space to be designed flexibly to accommodate a range of unit sizes. Accordingly, this wording should be deleted from NSP57 as the provision of small business space would not allow our client to remain within Peckham.

Maximising the Extent of the Site

There is a clear need to ensure that allocated sites are maximised in order to deliver sustainable development and maximise the delivery of housing.

The site vision diagram indicates the closure of Blackpool Road which currently dissects the site (with our client's site forming the southern half of NSP57). The closure of the road is supported in principle, and we are of the opinion that doing this will ensure that the development potential of the site is maximised.

However, we are of the opinion that the emerging Policy needs to explicitly discuss the realignment and/or closure of the highway. This will ensure that any future application to divert and / or close the road (either under separate Planning or Highway Legislation) has a policy basis to support the case for doing so.

Location of Tall Buildings

The Council's Core Strategy identifies that the Peckham and Nunhead Area Action core (where NSP57 is located) is suitable for more intense development and taller buildings.

The design and accessibility guidance takes this forward, stating that "*Taller buildings should be located towards the north of the site*". We do not agree that this is the justified approach for the development of NSP57.

The Council's underlying vision for Peckham seeks to ensure that employment uses are not compromised by the introduction of much needed residential space. Accordingly, we are seeking to place the replacement employment space for site NSP57 in the north-western side of the site – although it doesn't have to be limited to this corner.

This would place less noise sensitive uses adjacent to the busy commercial area of Copeland Park and The Bussey Building and the railway line, and directing residential space to the east and southern areas of the site where there are existing residential uses.

We have not seen any Urban Design Evidence Base Documents for the NSP which would direct taller buildings to the northern part of the site. We are of the opinion, therefore, that it is important to look at what was prepared and considered by the Inspectorate in support of the PNAAP.

The PNAAP Urban Design Study (2012) assessed the Core Action Area for suitable locations for taller buildings, but only assessed those sites which came forward in that document.

Paragraphs 6.4.2 of the document states:

6.4.2 [The Council] would not test taller buildings in locations or on sites which have limited capacity for intense development, do not create a focal point at the junction of main routes, a gateway opportunity or marking a main destination in Peckham centre, are in areas with limited access to public transport, with limited or no opportunity for public realm improvements or the creation of new meaningful public space and locations where the character and context would not support the potential for taller development

Paragraph 6.4.3 contains a list of discounted sites. NSP57 is not listed here.

Paragraph 6.4.4 states:

6.4.4 [The Council] would test for taller buildings in locations or on sites which have sufficient capacity for intense development, create a focal point at the junction of main routes, a gateway opportunity or marking a main destination in Peckham centre, are in areas in close proximity to the main transport hub, with opportunity for public realm improvements or the creation of new meaningful public space and locations where the urban character and context of Peckham centre would be enhanced by the potential for taller development.

Whilst NSP57 is included in the AAP boundary, its omission from that document as a site to be allocated is surprising given that it does not meet the criteria of 6.4.2, is not listed in 6.4.3 but does fulfil the criteria for selection in 6.4.4.

The Urban Design Document is silent on the issue of height on this site, leading us to believe that there is no defined location for where taller buildings should – or should not – be located, and be decided through the development control process.

In this regard, any application would be subject to assessment under PNAAP Policy 26 which, along with the supporting text, requires taller buildings to be of exceptional design and to contribute significantly to improving public realm and offering new public space.

Having commentary in NSP57 which directs the location of the massing of for the scheme has the potential to unnecessarily restrict the successful masterplanning and delivery of this site by directing height where it may not be suitable in the long-term.

We are of the opinion that the site's inclusion within the PNAAP boundary provides sufficient support for the principle of taller buildings, whilst PNAAP Policy 26, Saved Policy 3.20 and Core Strategy Strategic Policy 12 provide sufficient design guidance and control to ensure that the most appropriate form of development comes forward for approval.

Administrative Point

Site NSP57 is an assembly of different land ownerships. It has never been known as "Copeland Road Industrial Park". We also note that this name is very similar to the name of site PNAAP 4 – Copeland Industrial Park.

As a point of administration, we therefore propose that Site NSP57 is referred to henceforth as Blackpool Road Business Park ("BRBP"). This would avoid any potential for confusion between the two site allocations moving forward.

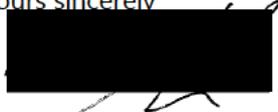
Closings

We hope that the above comments are of use and would be very pleased to answer any queries you may have regarding the above and have a further meeting with you to discuss the above points in further detail.

On behalf of our client we would also like to be registered on the Council's database for notifications of the subsequent consultations and the Examination in Public of the New Southwark Plan. We also take this opportunity to reserve our right to represent our client at the Examination in Public of this document.

Should you wish to meet to discuss the above site in further detail or if you require any further information, please do not hesitate in contacting either [REDACTED].

Yours sincerely

A black rectangular redaction box covering the signature of the sender.

MONTAGU EVANS LLP

From: Graham Whatley [REDACTED]
Sent: 27 February 2018 09:10
To: planningpolicy
Subject: Objections to NSP Submission

Follow Up Flag: Follow up
Flag Status: Flagged

Name: Graham Whatley, Camberwell resident

Address: [REDACTED]

Email: [REDACTED]

I wish to take part in the oral examination/hearings

I have concerns about how new high-rise buildings interface with low rise existing buildings. Choosing to build in this way, under pressure to provide new homes quickly and cheaply, can swell and disfigure existing neighbourhoods to the detriment of current residents. The New Southwark Plan appears to do little to require easement of this conflict. I would have thought that the wish to create high-rise, high capacity solutions were over and medium rise mansion-style buildings with communal green spaces (without attendant winds that beset all tall buildings) offer much more flexibility and variety of tenure, to reflect the mixed needs and preferences of tomorrow.

I thus think the NSP fails to address these points usefully and seems to employ an outdated urban response to the known frictions which new high-rise often causes, driven by the need to build quickly and cheaply. Thus in non-central locations, intelligent low rise has, surely, all the right benefits to sustain communities into the future.

Current London Plan

This policy is not sound because it is not consistent with the Mayor's current London Plan 2016 (Policy 7.7 pages 293-295):

- 7.7 Part A Strategic "Tall and large buildings should be part of a plan-led approach to changing or developing an area by the identification of appropriate, sensitive and inappropriate locations"; which is the opposite of the NSP which indicates that tall buildings could be located anywhere in the Borough, unless they interfere with a strategic protected view.
- 7.7 Part E LDF preparation "Boroughs should work with the Mayor to consider which areas are appropriate, sensitive or inappropriate for tall and large buildings and identify them in their Local Development Frameworks"; but the NSP does not indicate any attempt to identify locations in conjunction with the Mayor. Consequently, the NSP does not comply with or reflect:
- 7.25: Tall buildings should be resisted in areas that will be particularly sensitive to their impacts and only be considered if they are the most appropriate way to achieve the optimum density in highly accessible locations
- 7.28: The Mayor will work with boroughs to identify locations where tall and large buildings might be appropriate, sensitive or inappropriate. This policy is not effective as it is unlikely to achieve its stated aims of contributing to physical regeneration, raising population density, and increasing the activities and life opportunities on offer for nearby residents: it is also unclear how it can deliver the identified net increase of affordable housing by 799 homes per year. Insufficient consideration is given to other more effective ways of combatting the housing need without introducing negative effects of tall buildings (overshadowing, wind, microclimates) such as increasing density of lower-level buildings (e.g. 5-6 stories high); which also offer greater sustainability. It does not provide specific guidance on how tall buildings will increase the activities and life opportunities on offer for nearby residents, so leaving open the possibility that developers will design properties solely to benefit the building's residents and users. Tall buildings are inappropriate for family households and those requiring affordable accommodation for the reasons listed above. Housing families, those with specialist accommodation needs and those requiring affordable accommodation in the lower levels of tower blocks can increase the perception of social stratification with wealthier residents occupying the topmost luxurious "penthouse" flats.
 There are serious fire risk concerns associated with tall buildings following the Grenfell disaster – perceived risks may have significant negative impacts on the mental health and wellbeing of tower block residents, even if unjustified.



Southwark Council
Planning Policy Team
5th Floor Hub 2
Southwark Council
PO Box 64529
London
SE1P 5LX

Sent via email - planningpolicy@southwark.gov.uk

Date: 27 February 2018

Our ref: 16119/03/MH/KP/15435753

Dear Sir/Madam

Consultation on the New Southwark Plan (Proposed Submission Version)

We write on behalf of our client, Greendale Property Company Limited (Greendale), owners of Dulwich Hamlet Football Club's Champion Hill Stadium, in response to the above consultation seeking views on the proposed submission version of the New Southwark Plan (NSP), representations on which are due for submission by 27 February 2018.

Greendale welcomes the opportunity to comment on the NSP prior to its submission to the Secretary of State and supports the proposed allocation of the Dulwich Hamlet Champion Hill Stadium, both ensuring the preservation of a sports facility onsite and also to promote redevelopment and the introduction of a mix of uses for which an Inner London site such as this should and is able to accommodate.

However, to fully unlock the redevelopment potential of this important brownfield site as well as safeguard a stadium facility, we believe a number of changes are required to the draft policies to ensure that the plan is reasonable, realistic and most importantly, sound. We set these comments out below and provide suggested tracked changes to the draft policy wording at Appendix 1 of this letter.

As required by the National Planning Policy Framework (NPPF), local plans should be aspirational but realistic and should set out clear policies on what will or will not be permitted and where. Only policies that provide "*a clear indication of how a decision maker should react to a development proposal*" should be included in the plan (NPPF, 154).

Crucially, local plans are required to be deliverable and, in order to boost significantly the supply of housing, should meet the full, objectively assessed needs for housing in full through identifying key sites for the delivery of housing over the plan period (NPPF para 47). The NPPF requires that local plans allocate sites to "*promote development and flexible use of land... and provide detail on form, scale, access and quantum of development where appropriate*", meeting the strategic priorities (including delivering homes, jobs and leisure facilities) that an area needs (paras 156 and 157).

Background and Context

Champion Hill Stadium and the Surrounding Area

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

Prior to construction of the Champion Hill Stadium, Dulwich Hamlet's ground was located on the adjacent plot, now occupied by Sainsbury's, which had been home for the club 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.

The current stadium is located to the rear of St. Francis Park and to the south of Sainsbury's supermarket, off of Dog Kennel Hill to the east. The stadium consists of a grassed pitch, main stand (the Tommy Jover stand) and club house, with a 3,000 seat capacity, and a smaller covered stand to the south. The club house includes a gym, boxing gym, squash courts and function rooms, which are available for public use, although these are financially unsustainable in their current form. A small car-park to the east provides around 50 car parking spaces and is partly occupied by a hand car wash.

The current football pitch and stadium are used at limited times for football matches and are not otherwise accessed by the community. The open space itself is therefore of limited value in terms of recreation and amenity; in particular the football pitch is not available for public hire due to the impact this would have on the playing surface.

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 Greendale artificial pitch and playing fields to the west. To the south, along Abbotswood Road and Burrow Road, are residential properties. East Dulwich Rail Station is located approximately 300m to the southeast and the site has a good level of accessibility to public transport with a PTAL of 3.

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) (note we review and comment on the definition of OOS later in these representations). To the east of the stadium, across Abbotswood Road, St. Francis Park is also designated as OOS and to the west of the stadium the Greendale artificial pitch and playing fields are designated as 'Metropolitan Open Land' (MOL).

The Greendale artificial pitch is a poor quality and unusable area of astro turf within the south east 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 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.

The stadium and surrounding land is not currently allocated for redevelopment in the existing Local Plan.

Figure 1.1. Aerial image of site and surrounding area (Google Earth, 2018)



The Need for a New Stadium

Notwithstanding the Club's financial position, the current facilities themselves inhibit the future promotion and expansion of DHFC.

The existing capacity of the Champion Hill stadium is 3,000. In order to meet current Football Association (FA) requirements and enable progression to the National League (also known as the Conference), DHFC must provide a stadium that can accommodate at least 4,000 spectators and specific facilities for officials and the press. Without such provision, the Club is confined to its current position in the 7th tier of the football pyramid.

Whilst improved Club facilities will directly benefit DHFC, a secure future for the Club has far reaching requirements and implications.

The Club is one of the oldest league sides in London and has been part of the Dulwich community for over 100 years, with Champion Hill being DHFC's spiritual home for the majority of that period. The Club'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 the strong local support base.

As the owners of Dulwich Hamlet Football Club's (DHFC) Champion Hill stadium, Greendale seeks to secure the long-term future of the club by improving the stadium and ancillary facilities. The only way to realistically achieve this is to reorganise the site and deliver the required modern facilities to allow club promotion in association with its regeneration for mixed use purposes.

In this regard, Greendale has been engaged with LB Southwark during progression of the NSP and has submitted representations to earlier stages of the consultation (in April and September 2017). These

representations sought to promote the allocation of the site in an effort to secure and fund the clubs long-term future at Champion Hill. Greendale has also submitted a planning application for viable proposals to facilitate and improve the Champion Hill Stadium and facilities in an effort to provide a suitable sporting facility that has a long term and secure future.

Of relevance to these representations, the NPPF (at para 70) requires that planning policies should ensure that recreational facilities and services the community needs:

“are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community; and ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.”

In this regard and to ensure the necessary long term and sustainable availability of sports facilities, the comprehensive regeneration of the site is clearly required to deliver the required improvements to the Club’s finances and facilities; to do so, it is necessary to realise the site’s potential as a suitable site for mixed use development to serve a variety of planning benefits – as the current situation is no longer fit for purpose. Moreover, as a brownfield site in London, it’s potential to deliver a sustainably mixed solution delivering high quality sports/leisure facilities and sustainably-located new housing in an effective and efficient manner is not being realised by LB Southwark through the current draft NSP.

The following comments focus on relevant draft policies and designations set out in the emerging NSP and seek to ensure the delivery of a new stadium that meets modern requirements whilst also providing a package of community and local benefits. These include the provision of much-needed new housing (including affordable housing).

Initially we focus comments on

- i the proposed policy designation (NSP38) and vision (AV07)

and then comment on

- ii related policies on Other Open Space, Metropolitan Open Lane, community uses and biodiversity (P44, P56, OS130 and P59), which form the wider yet relevant development control policies that will influence the deliverability of proposals at Champion Hill.

For completeness, suggested changes to the wording of the NSP are provided at Appendix 1 of this letter.

Vision for East Dulwich (AV07)

Together with Dulwich Leisure Centre, the vision for East Dulwich identifies DHFC as a focus for sports and leisure in East Dulwich, as well as an important visitor attraction with a valuable community function. This recognition is supported by Greendale.

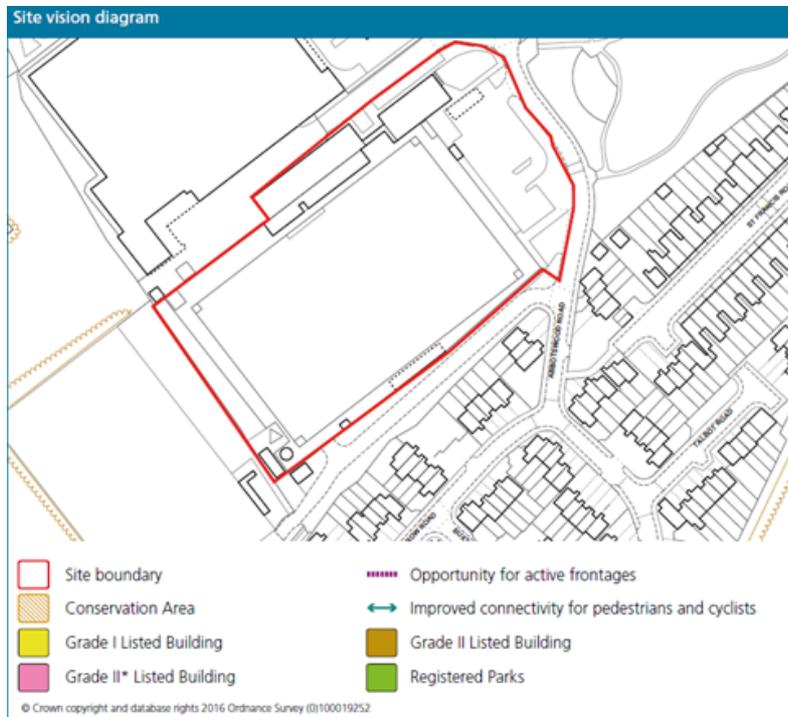
Greendale also supports the broad principles for development in East Dulwich (set out at para AV.07.2), specifically the requirement to provide as many homes as possible of all tenures (bullet point No. 2) and provide an improved stadium for DHFC (bullet point No. 8).

However, although the vision is supported, the reality of the current situation (the existing dilapidated stadium, dated facilities and limited public access to the leisure facilities and through the site) is that this vision cannot be realised without significant investment and improvements to the site and area.

Site Allocation (NSP38)

The draft NSP proposes to allocate the Dulwich Hamlet Champion Hill Stadium for redevelopment, along with the adjacent Abbotswood car park to the east.

Figure 1.2. Proposed site allocation boundary (Extract from NSP December 2017)



If the council is genuinely seeking to protect and promote the continued use of the site as a sports and leisure led mixed use facility (noting the other uses suggested in the policy text referred to below), we question why the Greendale artificial pitch, which enables and forms part of the functional character of the site as a whole, has not been included in the allocation.

We note that the artificial pitch forms part of the adjacent MOL designation (which is in any event in an extremely run down condition and not genuinely/freely “open” to the public for use) and that the openness can still be retained and included as a parameter by the council through the designation. The inclusion of the artificial pitch would help further unlock this brownfield site and attract much needed investment for the council-owned facility (which investment is much needed as it is unattractive and barely functioning within the remit of MOL). On these grounds, we would go further to question whether the council should even continue to protect this piece of land as MOL.

The draft allocation for the site suggests that redevelopment:

- must retain the football ground and ancillary facilities
- must ensure that the football grounds continue to function successfully
- should provide new homes and
- may provide new extra care housing

Before considering each of these policy aspirations in turn, we briefly address the evolution of the site allocation. Since the first version of Policy NSP38 was consulted on (in February 2017), the draft allocation has evolved to strengthen the requirements for (a) the football club and ancillary facilities to be retained and (c) the redevelopment to include new homes.

We welcome that the Proposed Submission version of the policy avoids reference to any indicative development capacity, whereas the earlier versions (February and June 2017) had referred to the site having

capacity for 30 units. This allows flexibility for the capacity of the site to be developed with regard to character of the surrounding area and acknowledged opportunities for taller buildings, reasonably maximising housing delivery in line with London Plan requirements.

Nevertheless, we note that redevelopment of the car park site alone has the potential to deliver around 60 new homes. However and with comprehensive redevelopment of the whole site (and potentially adjacent land), there is scope to deliver many more.

Other notable changes to the draft site allocation include the removal of the identified “*opportunity for public open space*” in place of the football pitch (last featured in the June 2017 Preferred Options version); presumably this omission is due to the growing policy support for re-provision of the football ground (i.e. not public open space).

Whilst Greendale is exploring opportunities to provide and improve public accessibility to the sports facilities at Champion Hill, this omission is welcome as the conversion of the sports pitch to provide public open space would conflict with the central policy objective of providing a football ground for DHFC – a private football pitch which would be accessible to members of the public on match days.

Retaining the Football Club and Ancillary Facilities

Greendale supports in principle the vision of retaining the football ground and leisure facilities (D2).

However, it is noted that the draft site allocation does not define what these ‘ancillary facilities’ are to be. As noted above, the other facilities include a gym, boxing gym, squash courts and function rooms. The only facilities at Champion Hill which are truly ancillary to the football ground are the changing rooms – the other facilities operate independently of the football ground and have low levels of use/membership. In the case of the gym, the Club does not have the right to use the gym facilities free, and they are subsequently not used by the Club. These facilities, like the football stadium itself, are also in a poor state of repair and vastly in need of improvement. Retention of the “ancillary facilities (D2)” is not *justified* as it is not the most appropriate strategy for realising the regeneration potential of the site.

To make sound this part of the site vision, the vision should be reworded to state that redevelopment of the site must “Re-provide” (rather than “retain”) “the football ground and leisure facilities” – to allow for the regeneration of the site to develop and modernise in a way that is sustainable, in accordance with the objectives of the NPPF (70). This would allow flexibility for a wider range of leisure facilities to be delivered, thus assisting to ensure that the site allocation is deliverable.

Ensuring the Football Grounds Continue to Function Successfully

Whilst Greendale supports the vision for the site to be retained as a football ground and ideally continue to be the home ground for DHFC, the policy requirement to ensure that the “*football grounds continue to function successfully*” is unsound.

The success of the grounds is not measurable and falls outside of the planning process. It also overlaps with the requirement to “*retain the football ground*” – which in itself will assist in promoting the longevity of DHFC. Whilst Greendale’s intention is to ensure that any comprehensive redevelopment of the football grounds will make the football grounds (and Club) successful, the current wording is unduly restrictive. More appropriately, the design and accessibility section of the policy could be updated to clarify that the development of non-leisure uses (i.e. housing) within the site should not prohibit provision of the football ground. To ensure that this element of the policy is *effective*, we request that the design and accessibility guidance section is updated to omit reference to the proposals being required to “*ensure that the football grounds continue to function successfully*”.

In any event, the council through this policy is being onerously restrictive as to how this site could be used over the Plan life of 15 years. It may be that DHFC leaves but that a rugby club or other sporting use/leisure facility wishes to use the site. Under the current wording, the council seem to intimate only a football club/use of the pitch for football is the only acceptable use. The council needs to add another layer of wording in the site allocation to allow a more flexible use under the remit of sport and leisure as no one, not even the council, can be certain that the continued used of the site by a football club is viable and the only solution over the Plan period.

Providing New Homes

The inclusion of housing acknowledges the site's suitability for residential development, with it being easily accessible, adjacent to existing residential areas and in close proximity to East Dulwich Town Centre.

Introduced in March 2015, the current annual monitoring target for LB Southwark is 2,736 homes per year (Further Alterations London Plan 2016). Prior to this, the previous version of the London Plan (2011) required LB Southwark to deliver only 2,005 homes per year. This recent increase thus represents an uplift of over 35%.

Whilst only in the initial stage of consultation, the Draft London Plan (Policy H1) seeks to increase annual housing targets from 42,389 to 64,935 houses a year across London; representing an increase of 53% increase overall compared to the current London Plan (Policy 3.3). For LB Southwark, the draft London Plan suggests that the annual target for Southwark is revised downwards from 2,736 to 2,554 homes per year, representing a modest decrease of 7% – whilst still being 27% higher than the minimum target set in the previous London Plan (2011). We note in passing the national consultation on objectively assessed housing need (September 2017) suggests an increased figure for LB Southwark of 3,089 homes per year, confirming the pressure to reasonably maximise housing delivery on all suitable sites.

Relevant to the emerging site allocation, the Draft London Plan also states that boroughs should optimise housing delivery on all suitable and available brownfields sites especially through both

“b) mixed-se redevelopment of car parks...” and

“c) housing intensification on other appropriate low-density sites in commercial, leisure and infrastructure uses” (Policy H1).

The supporting text (para 3.6.1) to Draft London Plan Policy D6 further recognises that every development needs to make the most efficient use of land and that this will mean *“developing at densities above those of the surrounding area on most sites”*.

Whilst the housing target for LB Southwark is proposed to be reduced slightly (against likely government requirements), the council has struggled to meet its housing needs in recent years. As identified in LB Southwark's Five and Fifteen Year Housing Land Supply: 2016-2031 report (evidence base document ref: EB11), housing delivery fell short of the current LB Southwark annual target for the year 2015/16 by 1,233 residential units – despite the strong push for optimising housing delivery at all levels of planning policy.

Dulwich Hamlet's Champion Hill Stadium represents a site that can also deliver a meaningful contribution towards the borough's housing needs, on a suitable, accessible, brownfield site of a type that is specifically earmarked for optimising housing in the Draft London Plan and aligned with the NPPF's central objective of delivering sustainable development.

Redevelopment of the car park site alone has the potential to deliver around 60 new homes, with comprehensive redevelopment of the whole site (and potentially adjacent land) providing the opportunity to deliver more than 150 homes. To ensure that the policy is *justified* and provides the most appropriate

strategy, we request that the site vision of NSP38 is updated to state that redevelopment of the site “*must provide new homes (C3)*” on the same basis as for other required land uses.

Recent discussions with the council and evidence provided to officers have shown that the site has the potential to deliver a new stadium facility, MUGA and up to 150 homes. This must be investigated and considered further by the council in order to properly inform the site allocation and its potential as a sustainable brownfield site to deliver much needed housing in the Borough and for London.

For completeness, suggested tracked changes are set out at Appendix 1 of this letter.

Providing Extra Care Housing

The London Plan (2016) identifies an indicative benchmark requirement of 115 specialist housing units per year for older people within LB Southwark between 2015 and 2025. Nevertheless, the draft New London Plan surprisingly suggests a significant (44%) reduction to 65 specialist housing units per year between 2017 and 2029.

Whilst the current Statutory Development Plan does not specifically promote the delivery of extra care housing (Use Class C3), the Saved Southwark Plan Policy 4.7 does encourage non-self-contained housing for identified groups including facilities that provide care or support for occupiers such as the elderly.

Specialist housing for older people is proposed to be specifically promoted through the emerging NSP (Policy P5). The policy criteria state that development for extra care housing should be provided in areas that are suitable for older people and have good access to local goods and services, being located in, or close to, town centres.

This approach is underpinned by the LB Southwark Older People Housing Report (EBO8), which projects a significant (56%) increase in the number of residents aged 65 between 2014 and 2030. This growth does not necessarily translate into additional needs for the provision of additional extra care housing (as residents may stay in their own homes for longer) and the NSP does not identify any target for C2 accommodation.

It is noted that a number of proposed site allocations (including NSP38) are identified as being suitable for the provision of extra care housing, and the proposed potential inclusion of extra care housing (C2) at Dulwich Hamlet Champion Hill Stadium is welcome. This will provide additional flexibility to provide a wide range of housing on the site.

Defining Open Space (P56)

The National Planning Policy Framework (NPPF) defines ‘Open Space’ as “*All open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity.*”

Paragraph 5.85 of the adopted Core Strategy (2011) identifies that such open spaces are important for a number of reasons, including because they provide “*...space for and encouraging physical activity and relaxing...*” including “*space for playing pitches and children’s play...*”. This includes smaller spaces, such as areas defined as ‘Other Open Space’ which are afforded protection as locally important spaces for neighbourhood areas (paragraph 5.90 of the adopted Core Strategy).

In 2013, LB Southwark adopted an Open Space Strategy with the focus “*...on improving the quality of existing spaces so that they can be better used, merging or improving links between smaller spaces so that people have easy access to a range of activities and facilities, removing barriers to accessing spaces so more people can use them...*” (para. 5.92 of the adopted Core Strategy).

Draft Policy P56 (Open Space) seeks the continued protection and improvement of Southwark's network of open spaces as per adopted Strategic Policy 11 (Open Spaces and Wildlife).

Integral to Policy P56 of the NSP is the way in which OOS is defined. This is set out at page 80 of the draft NSP, where OOS is differentiated from Metropolitan Open Land (MOL) and Borough Open Land (BOL) and defined as a space which is neither MOL nor BOL and meets "one or more" of the following criteria:

Allotments;

Public open space including public parks and gardens;

Playing fields and sports grounds whether publicly or privately owned;

Private open space which is of benefit to the local community;

Open space that has been created and secured through planning obligations;

Sites of ecological importance.

The fact box clarifies that "Other open space does not include open spaces that are ancillary to, and/or within the curtilage of a building."

In general planning terms, we do not consider that this definition is *consistent with national policy*.

Firstly, point 'iv' would allow for a much wider definition of land than that set out in the NPPF (i.e. it has the potential to be all-encompassing of any land which provides a community benefit) and, therefore, the designation of OOS under criterion 'iv' would be at the Council's discretion, rather than a justified evidence base. In this regard the current wording would not be *effective*.

Point 'v' is unnecessary and should be removed. Where open space has been secured through planning obligations, it will have been identified on the basis of satisfying one or more of the above criteria. Therefore criterion item 'v' is not a criterion in itself. As such, its inclusion is irrelevant and misleading.

We set out in Appendix 1, how the definition enclosed within the 'Fact box' on page 81 of the NSP should be revised in order to satisfy the requirements of paragraph 182 of the NPPF.

Consideration should also be given to the description of Local Parks and Open Spaces as set out in the new draft London Plan (December 2017). These are defined as spaces which provide a minimum of 2ha for court games, children's play, sitting out and nature conservation within 400m of residential homes. We confirm that the suggested revised approach to defining OOS as set out in Appendix 1 accommodates these space types.

Protecting Other Open Space (P56)

In terms of the policy approach to OOS, it is important to recognise that OOS allocations comprise smaller spaces which are of a local importance at a neighbourhood level and, therefore, should not be afforded the same level of protection as MOL and BOL.

In this way, regard should be given to the national approach to promoting healthy communities. Paragraph 74 of the NPPF states that

"existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

"an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or

the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or

the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss."

To ensure soundness, emerging policy 56 (Open Space) must be consistent with the NPPF. In practice, this provides a justified approach to ensuring that local community needs are satisfied and where required retained and protected. As currently worded, draft policy 56 only permits development on OOS where "exceptional circumstances" are demonstrated and this is not consistent with national policy.

The exceptional circumstances are not defined in the draft supporting text and, therefore, it is not clear how this policy would be applied and questionably whether the policy would be effective.

The approach for assessing development on OOS needs to be informed by a robust evidence base in order to be effective.

For example, LB Southwark's Open Space Strategy (2013) identifies that OOS site ref. OS130 (Dulwich Hamlet Football Club) is of above average quality but below average value. LB Southwark's Playing Pitch Strategy (2016) confirms that DHFC should be protected as it provides facilities for a high performing adult club and also in light of the deficit of youth football provision. However, the Strategy identifies that the facilities need significant refurbishment in order to do this, which is not viable or indeed possible under the current financial model (page 47). In the case of youth football, the Aspire Academy no longer use the ground. As promoted by Greendale, enabling development required in order to ensure the retention of this 'open space' and the national planning policy approach provides a robust means by which the potential replacement of the space can be mitigated.

With regards to the above policy framework, the judgement of Collins J in *Turner v SSCLG* [2015] EWHC, and in particular the assessment of Collins J at paragraph 37, is of assistance:

"The claimant submits that the natural and so correct meaning of paragraph 74 requires any development to provide open space which is at least equivalent to that lost both in quantity and quality... I think that that is an over mechanistic approach. No doubt when spaces are fully used such as allotments or playing fields or entirely accessible recreation areas it will be difficult if not impossible to justify a loss of quantity. But it is in my view appropriate in a case such as this to consider the reality which is that the existing spaces were largely unused by the general public. The requirement in such circumstances for equivalent quantity is too restrictive and would, if applied to the letter, prevent sensible development when in reality there has been no overall loss"

The NPPF, on which Collins J is commenting above, and emerging Policy 56 (Open Space) both require "equivalent or better" re-provision.

Collins J judgment is clear that an "over mechanistic approach" to the re-provision of open space is not the correct approach, but rather that each case should be considered in "reality" and on its own merits. Accordingly the "equivalent of better" re-provision required under the emerging policy should be reconsidered on this basis.

Importantly, Collins J judgement in *Turner v SSCLG* demonstrates that in instances where existing (open) spaces are largely unused by the general public, the re-provision of a qualitatively improved open space accessible to the public with a reduction in overall quantum of open space can constitute a development where there has been "no overall loss", and be entirely acceptable in planning terms.

Similarly, in a recent appeal case in Elmbridge in relation to the redevelopment of an existing cricket pitch to provide residential development alongside replacement sports and leisure facilities, the Inspector considered the basis on which quantitative and qualitative matters should be judged. The Inspector referred to how this has been considered by the Courts, stating that it should be a “...comparison of what is actually provided and used with what is proposed. Thus the approach is not a mechanistic one based on size before and after” (Appeal ref. APP/K3605/W/17/3174639). As such, it was concluded that although the existing sports provision was sufficient and usable, the proposed replacement provision would be a marked improvement in quality and also increase the availability of the facility for public use. Thereby, the proposed redevelopment presented greater overall public benefits than the existing.

This demonstrates how such policies should work both lawfully and in practice and the flexibility between quantity and quality that will ensure the long term retention of spaces of public value.

In light of this, we set out in Appendix 1 how draft policy 56 should be amended in order to be justified and consistent with national policy.

Dulwich Hamlet Open Space Allocation (OS130)

On a more site specific basis, we question whether the continued allocation of site ref. OS130, as OOS is justified.

We understand that this is not a new designation and the existing football pitch (exclusive of the associated stadium building) is identified as OOS under adopted local planning policy.

However, we have considered above the proposed description of Local Parks and Open Spaces contained within the draft new London Plan (December 2018) to understand the strategic approach to the designation of locally important spaces. This refers to areas of 2ha or more and in terms of sports and leisure refers to ‘court games’. The allocated football pitch as OOS comprises 7,685sqm of outdoor space and does not involve a ‘court game’. The draft London Plan defines ‘Small Open Spaces’ as under 2ha and less than 400m from residential homes. These spaces include gardens, sitting out areas, children’s play spaces and other areas of nature conservation. Therefore, this would suggest that the designation of the football pitch as OOS (locally important) is not accurate given the small scale nature of the provision and will not be consistent with the intended New London Plan.

In turn, as privately owned and publically inaccessible, it makes a positive contribution to the local community only by being part of the stadium. Its protection therefore overlaps with the definition of a community facility (as set out at draft Policy 44: Community Uses). Community facilities are identified to including Class D2 uses, described as ‘assembly and leisure’ and which include places where large numbers of members of the public are able to come together for the purposes of leisure. The related Fact Box states that “*these can contain associated ancillary community facilities and can include...gyms and sports arenas*” (page 70). Therefore, the protection and retention of site ref. OS130 should be through the continued operation of the stadium and pitch as a community facility and not in the designation of the pitch as OOS.

On this basis, we would suggest that the DHFC is designated as a community facility and the policy wording amended to align with the promotion of healthy communities as set out under Chapter 8 of the NPPF (please refer to Appendix 1). This will allow for that the most successful function of community facilities in the long term.

Metropolitan Open Land (MOL)

The NPPF does not explicitly refer to MOL. The concept and policy of MOL was established through the 1976 Greater London Development Plan (GLDP) which sought to conserve and protect open land within London which provided useful and attractive breaks in the townscape (para. 9.8).

The current London Plan (Policy 7.17 and para 7.56) confirms that sites designated as MOL should have the same level of protection as sites in the Green Belt and that paragraphs 79-92 of the NPPF equally apply. London Plan Policy 7.17 identifies that land which “*includes open air facilities, especially for leisure, recreation, sport, the arts and cultural activities, which serve either the whole or significant parts of London*” should be designated as MOL. The NPPF confirms that once these spaces have been defined, “*...local planning authorities should plan positively to enhance the beneficial use of the Green Belt [or MOL in this case], such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation...*” (para 81).

Recognising opportunities for redevelopment of sites within MOL, the Draft London Plan notes (at para 8.3.2) that the principle that land swaps could be applied to MOL where the resulting MOL “*meets at least one of the criteria*” set out in Part D of Policy G3. *These criteria include the provision of “open air facilities, especially for leisure, recreation, sport... which serve either the whole or significant parts of London”.*

There is otherwise a general presumption against inappropriate development within the Green Belt (or MOL in this case) and that this should not be permitted except in very special circumstances (para 87). Very special circumstances are not considered to exist “*unless the potential harm to the Green Belt [or MOL] by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations*” (paragraph 88).

Planning case law has recognised the provision of community and employment benefits; ‘enabling development’; public access; addressing identified housing needs; ecological enhancements and high quality design and sustainability all as examples of ‘other considerations’. The construction of new buildings should be regarded as inappropriate, unless the proposal comprises an exceptional use. This includes the appropriate provision of facilities for outdoor sport and recreation (as set out under paragraph 89 of the NPPF).

In applying this approach at a local level, emerging policy 56 (Open Space) should firstly seek to protect the MOL from inappropriate development but, in fulfilling its identified role, secondly allow for opportunities for such spaces to be of public value in line with paragraph 81 of national planning policy.

For example, LB Southwark’s Open Space Strategy (2013) identifies that site ref. OS128 (Greendale Playing Field), as MOL, is below average in terms of quality and value and is not fulfilling its purpose. The Strategy confirms that quality improvement is required, including the potential for a range of facilities (pp. 75-77). LB Southwark’s Playing Pitch Strategy (2016) confirms that MOL site ref. OS128 (Greendale Playing Fields) needs to be protected for sports use but states that the current facilities are not publically accessible or fit for purpose and that the refurbishment of the site should be explored and supported (p. 131).

The draft wording of policy 56 (Open Space) and current allocations are therefore not wholly compliant with the national and strategic approach to open space and need to be reviews. Emerging policy 56 should seek opportunities to encourage public access and appropriate uses. The wording currently proposes a tailored version of ‘exceptional’ uses which does not take account of the long term purpose of such designations. In order for the plan to be sound, this policy should be re-worded. We set out how this should be addressed in Appendix 1.

Biodiversity (Policy P59)

Draft Policy P59 (Biodiversity) states that development will be expected to contribute to net gains in biodiversity. We support this approach in line with national planning policy but it is not clear how and when contributions will be required. In the interest of soundness (and to ensure that the policy is *effective*), this policy should be revised to ensure that contributions will be sought on the basis of an evidence-based approach. For example, where development will result in a loss or where development within a certain distance of sites of nature conservation value will have a direct impact on the designation.

Concluding Remarks

Greendale has invested in Dulwich Hamlet Football Club and is keen to play its part in this important regeneration project.

Redevelopment of the site to provide a new football ground and stadium is necessary in order to support the expansion and promotion of DHFC and seek to secure the Club's long term future. This can only be achieved through the comprehensive regeneration of the site to deliver the required improvements to Club facilities alongside supporting residential and leisure development. Acknowledging the wider leisure and community benefits of the stadium, regeneration of the site has the potential to deliver significant leisure and community benefits in Southwark, making an important contribution to placemaking in the process.

Located in inner London, adjacent to existing residential areas and open spaces and a short walk from East Dulwich train station and town centre, the site presents a prime and unique opportunity to knit together leisure and residential development and to create a truly sustainable development to the benefit of DHFC and the local community.

As acknowledged in the LB Southwark Open Space Strategy (2013), there is an identified need to improve the quality and value of Greendale Artificial Playing Pitch – an open space that, whilst ancillary to DHFC, is in a poor state of repair and so inaccessible to the general public. The inclusion of this pitch within the site allocation will assist in fulfilling this site's potential and ensuring that comprehensive redevelopment of the site delivers the fullest benefits.

The Local Plan should positively facilitate the improvements and opportunities available to secure a satisfactory and viable long term home for DHFC (or other sports club), ecological and leisure improvements to the Greendale MOL area and much-needed housing in a sustainable location – rather than, as now, seek to fossilise a situation likely to lead to decline in access and community involvement.

We trust these representations will be fully considered prior to submission of the draft NSP to the Secretary of State and we register our interest in speaking in relation to the matters raised at the draft Plan's Examination in Public.

Should you require any additional information, please contact either [REDACTED] or me.

Yours faithfully



[REDACTED]
Associate Director

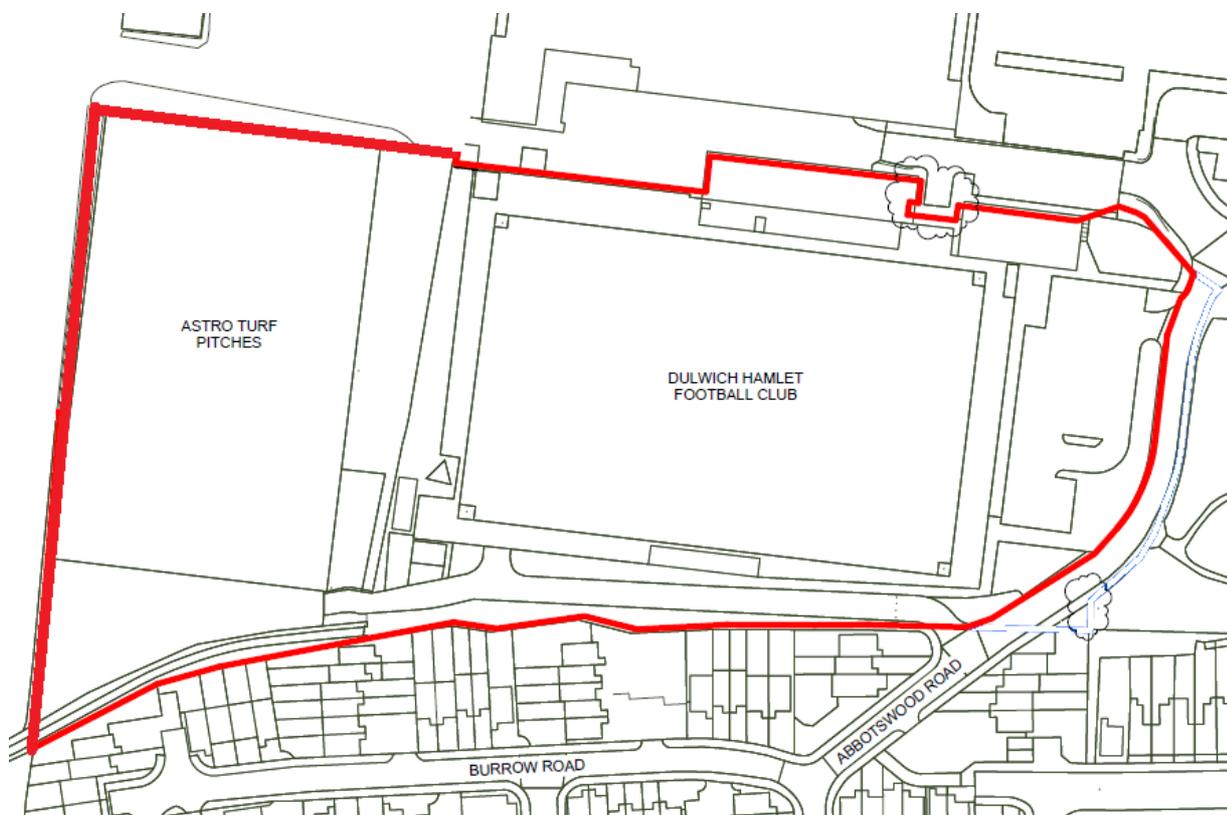
Appendix 1 Suggested changes to relevant NSP policies
Enc. Completed representations form

Annex 1: Suggested Policy Changes

For ease of reference, we set out below our suggested wording changes to planning policy and supporting text:

Site Allocation (NSP38)

The allocation boundary should be amended to include the Greendale artificial pitch to the west in order to acknowledge the pitch forms part of the function of the overall site as a sports and leisure facility. Doing this will help further unlock the regeneration potential of site.



Update the site vision to read as follows:

“Redevelopment of the site must:

- **~~Re-provide~~ Retain** the football ground and **ancillary** facilities (D2) with capacity for no **fewer** than 3,000 spectators.
- **Provide new homes (C3)**

Redevelopment of the site should:

- **~~Provide new homes (C3).~~**

Redevelopment of the site may:

- *Provide new extra care housing (C2).”*

Update the Design and accessibility guidance to read:

*“The design, layout and accessibility requirements for this site are dependent on the proposed mix and location of land uses and their relationships to each other within the site. **Proposals must ensure that the football grounds continue to function successfully.***

Comprehensive mixed-use redevelopment of the site could include taller buildings subject to consideration of impacts on existing character, heritage and townscape. Redevelopment should complement the setting of existing open spaces, and enhance walking routes and connectivity to Lordship Lane and East Dulwich.

The site is not within a borough designated Archaeological Priority Area or conservation area. The site is located close to the Camberwell/Constance Road Workhouse build in 1892. An archaeological assessment is required for this site.”

Policy P44: Community Uses

Update the policy to read:

- 1 *“New community facilities (Use Class D1, D2 and Sui Generis) will be permitted where provision is made for the facility to be used by all members of the community.*
- 2 *Development should retain community facilities unless:*
 - ***Their loss is to be replaced as part of proposed development with an equivalent or better provision in terms of quantity or quality; or ~~In exceptional circumstances there~~***
 - ***an assessment has been undertaken which shows there is ~~may~~ no longer ~~be~~ a local need for a facility. This must be demonstrated through evidence of suitable marketing for continuous period of at least two years, immediately prior to any planning application, for both its existing condition and as an opportunity for an improved community facility.”***

Definition of Other Open Space (Fact Box)

Update the Open Space Designations to read as follows:

*“Other Open Space (OOS) **are** Open Spaces that are not MOL or BOL, but meet one or more of the following criteria:*

- i Allotments;*
- ii Public open space including public parks and gardens;*
- iii Playing fields and sports grounds whether publicly or privately owned;*
- iv ~~Private open space which is of benefit to the local community;~~***
- v ~~Open space that has been created and secured through planning obligations;~~***
- vi Sites of ecological importance.*

Other open space does not include open spaces that are ancillary to, and/or within the curtilage of a building.”

Policy P56: Open Space

To ensure that the policy is consistent with the NPPF, we suggest that the policy is re-worded as below:

“1. Development will not be permitted on Metropolitan Open Land (MOL) or Borough Open Land (BOL). In exceptional circumstances development may be permitted when:

- *1.1 It consists of **ancillary** facilities **for appropriate uses** that positively contribute to the setting, accessibility and quality of the open space and if it does not affect its openness or detract from its character. **Ancillary Facilities** on MOL must be **essential appropriate facilities** for outdoor sport or recreation, cemeteries or for other uses of land which preserve the openness of MOL and do not conflict with its MOL function; **Appropriate development includes facilities for outdoor sport, outdoor recreation and for cemeteries; or***
- *1.2 It consists of the extension or alteration of an existing building provided **inged** that it does not result in disproportionate additions over and above the size of the original building; or*
- *1.3 It consists of the replacement of an existing building, provided that the new building is **in the same use and ~~no~~ not materially** larger than the building it replaces.*
- *2. Development will not be permitted on Other Open Space (OOS). ~~In exceptional circumstances development may be permitted if unless:~~*
 - ***2.1 an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or***
 - ***2.2 the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or***
 - ***2.3 the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.”***

Policy 59: Biodiversity

To ensure that the policy is effective, we suggest that it is re-worded as follows:

“Development must contribute to net gains in biodiversity through:

- 1 *Enhancing the nature conservation value of Sites of Importance for Nature Conservation (SINCs), Local Nature Reserves (LNRs), designated and undesignated ancient woodland, populations of protected species and priority habitats/species identified in the United Kingdom, London or adopted Southwark Biodiversity Action Plan **where development is proposed within or adjacent to a site of nature conservation and will have a direct impact on a designated site(s); and***
- 2 *Avoiding damage to SINCs and LNRs, populations of protected species and priority habitats/species. Where exceptionally, such developments are permitted adequate mitigation must be provided, or as a last resort, compensation for the harm to biodiversity; and*
- 3 *Including features such as green and brown roofs, green walls, soft landscaping, nest boxes and habitat restoration and expansion, improved green links and buffering of existing habitats.”*

Part A: Contact details

If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in the next section.

1: Personal details

Title:	<input type="text"/>
First Name:	<input type="text"/>
Last Name:	<input type="text"/>
Organisation (Where relevant):	<input type="text"/>
Position (Where relevant):	<input type="text"/>
Address line 1:	<input type="text"/>
Address line 2:	<input type="text"/>
Address line 3:	<input type="text"/>
Postcode:	<input type="text"/>
Email:	<input type="text"/>
Telephone:	<input type="text"/>

2. Agents details (if applicable)

Title:	<input type="text" value="Ms"/>
First Name:	<input type="text"/>
Last Name:	<input type="text"/>
Organisation:	Lichfields
Position:	Associate Director
Address line 1:	14 Regent's Wharf
Address line 2:	All Saints Street
Address line 3:	London
Postcode:	N1 9RL
Email:	<input type="text"/>
Telephone:	<input type="text"/>

Part B: Representation

Please select **one** policy per form to select which part of the plan you wish to make a representation on. The one option you select should be the item you should be commenting on in the subsequent boxes below. If you want to comment on more than one part of the plan, please submit part B again.

1. To which part of the New Southwark Plan does this representation relate to?

Implementation policy:	<input type="text"/>
Development Management policy:	<input type="text"/>
Area Vision:	<input type="text"/>
Site Allocation:	<input type="text" value="NSP38"/>
Proposal Map:	<input type="text"/>
Other:	<input type="text"/>

2. Do you consider the document to be legally compliant in accordance with the Town and Country Planning (Local Planning) (England) Amendment Regulations 2012?

- Yes
 ~~No~~

3. Do you consider that the New Southwark Plan is Sound?

- Yes
 ~~No~~

4. Do you consider that the New Southwark Plan is unsound because it is not?

- Effective
 Justified
 ~~Consistent with national policy and the London Plan~~
 ~~Positively prepared~~

5. Please give details of why you consider the New Southwark Plan not to be legally compliant or unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the New Southwark Plan, please also use this box to set out your comments.

See accompanying letter dated 27 February 2018 (ref: 16119/03/MH/KP/15435753).

6. Please set out what change(s) you consider necessary to make the New Southwark Plan legally compliant or sound. You will need to say why this change will make the New Southwark Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible

See accompanying letter dated 27 February 2018 (ref: 16119/03/MH/KP/15435753).

For ease of reference, we set out below our **suggested wording changes** to the proposed site allocation:

Update the site vision to read as follows:

Update the site vision to read as follows:

“Redevelopment of the site must:

- **~~Re-provide~~Retain** the football ground and **ancillary** facilities (D2) with capacity for no **fewer** than 3,000 spectators.
- **Provide new homes (C3)**

~~Redevelopment of the site should:~~

~~• Provide new homes (C3).~~

Redevelopment of the site may:

- *Provide new extra care housing (C2).”*

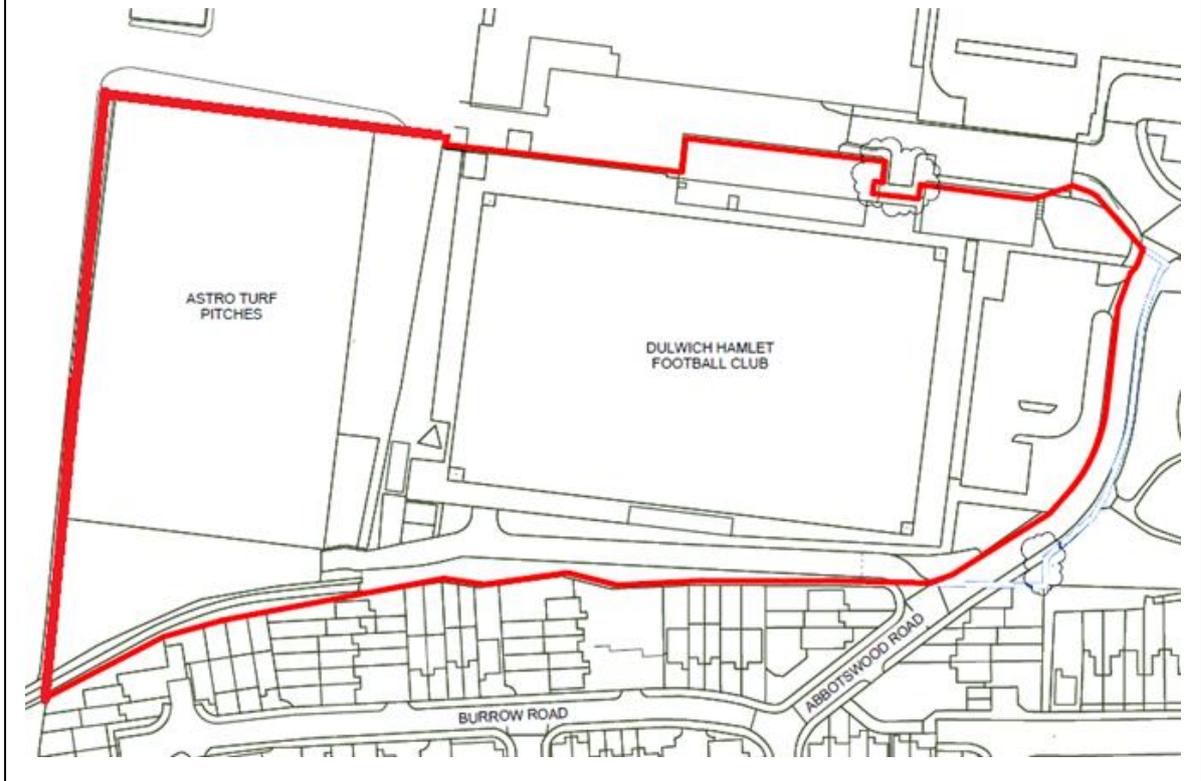
Update the Design and accessibility guidance to read:

*“The design, layout and accessibility requirements for this site are dependent on the proposed mix and location of land uses and their relationships to each other within the site. **Proposals must ensure that the football grounds continue to function successfully.***

Comprehensive mixed-use redevelopment of the site could include taller buildings subject to consideration of impacts on existing character, heritage and townscape. Redevelopment should complement the setting of existing open spaces, and enhance walking routes and connectivity to Lordship Lane and East Dulwich.

The site is not within a borough designated Archaeological Priority Area or conservation area. The site is located close to the Camberwell/Constance Road Workhouse build in 1892. An archaeological assessment is required for this site.”

In addition, we suggest that the site allocation boundary is updated as follows:



Part B: Representation

Please select **one** policy per form to select which part of the plan you wish to make a representation on. The one option you select should be the item you should be commenting on in the subsequent boxes below. If you want to comment on more than one part of the plan, please submit part B again.

1. To which part of the New Southwark Plan does this representation relate to?

Implementation policy:	<input type="text"/>
Development Management policy:	<input type="text" value="P56"/>
Area Vision:	<input type="text"/>
Site Allocation:	<input type="text"/>
Proposal Map:	<input type="text"/>
Other:	<input type="text"/>

2. Do you consider the document to be legally compliant in accordance with the Town and Country Planning (Local Planning) (England) Amendment Regulations 2012?

- Yes
 No

3. Do you consider that the New Southwark Plan is Sound?

- Yes
 No

4. Do you consider that the New Southwark Plan is unsound because it is not?

- Effective**
 Justified
 Consistent with national policy and the London Plan
 Positively prepared

5. Please give details of why you consider the New Southwark Plan not to be legally compliant or unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the New Southwark Plan, please also use this box to set out your comments.

See accompanying letter dated 27 February 2018 (ref: 16119/03/MH/KP/15435753).

6. Please set out what change(s) you consider necessary to make the New Southwark Plan legally compliant or sound. You will need to say why this change will make the New Southwark Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible

See accompanying letter dated 27 February 2018 (ref: 16119/03/MH/KP/15435753).

For ease of reference, we set out below our **suggested wording changes** to the policy:

“1. Development will not be permitted on Metropolitan Open Land (MOL) or Borough Open Land (BOL). In exceptional circumstances development may be permitted when:

- *1.1 It consists of ~~ancillary~~ facilities **for appropriate uses** that positively contribute to the setting, accessibility and quality of the open space and if it does not affect its openness or detract from its character. ~~Ancillary Facilities~~ **on MOL must be essential appropriate facilities** for outdoor sport or recreation, cemeteries or for other uses of land which preserve the openness of MOL and do not conflict with its MOL function; **Appropriate development includes facilities for outdoor sport, outdoor recreation and for cemeteries; or***
- *1.2 It consists of the extension or alteration of an existing building provided ~~ing~~ that it does not result in disproportionate additions over and above the size of the original building; or*
- *1.3 It consists of the replacement of an existing building, provided that the new building is **in the same use and ~~no~~ not materially** larger than the building it replaces.*
- *2. Development will not be permitted on Other Open Space (OOS). ~~In exceptional circumstances development may be permitted if unless:~~*
 - ***2.1 an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or***
 - ***2.2 the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or***
 - ***2.3 the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.”***

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1. To which part of the New Southwark Plan does this representation relate to?

Implementation policy:	<input type="text"/>
Development Management policy:	<input type="text" value="P59"/>
Area Vision:	<input type="text"/>
Site Allocation:	<input type="text"/>
Proposal Map:	<input type="text"/>
Other:	<input type="text"/>

2. Do you consider the document to be legally compliant in accordance with the Town and Country Planning (Local Planning) (England) Amendment Regulations 2012?

- Yes
 No

3. Do you consider that the New Southwark Plan is Sound?

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4. Do you consider that the New Southwark Plan is unsound because it is not?

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 Consistent with national policy and the London Plan
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See accompanying letter dated 27 February 2018 (ref: 16119/03/MH/KP/15435753).

For ease of reference, we set out below our **suggested wording changes** to the policy:

“Development must contribute to net gains in biodiversity through:

- 1 Enhancing the nature conservation value of Sites of Importance for Nature Conservation (SINCs), Local Nature Reserves (LNRs), designated and undesignated ancient woodland, populations of protected species and priority habitats/species identified in the United Kingdom, London or adopted Southwark Biodiversity Action Plan **where development is proposed within or adjacent to a site of nature conservation and will have a direct impact on a designated site(s)**; and*
- 2 Avoiding damage to SINCs and LNRs, populations of protected species and priority habitats/species. Where exceptionally, such developments are permitted adequate mitigation must be provided, or as a last resort, compensation for the harm to biodiversity; and*
- 3 Including features such as green and brown roofs, green walls, soft landscaping, nest boxes and habitat restoration and expansion, improved green links and buffering of existing habitats.”*

Part B: Representation

Please select **one** policy per form to select which part of the plan you wish to make a representation on. The one option you select should be the item you should be commenting on in the subsequent boxes below. If you want to comment on more than one part of the plan, please submit part B again.

1. To which part of the New Southwark Plan does this representation relate to?

Implementation policy:	<input type="text"/>
Development Management policy:	<input type="text" value="P44"/>
Area Vision:	<input type="text"/>
Site Allocation:	<input type="text"/>
Proposal Map:	<input type="text"/>
Other:	<input type="text"/>

2. Do you consider the document to be legally compliant in accordance with the Town and Country Planning (Local Planning) (England) Amendment Regulations 2012?

- Yes
 No

3. Do you consider that the New Southwark Plan is Sound?

- Yes
 No

4. Do you consider that the New Southwark Plan is unsound because it is not?

- Effective**
 Justified
 Consistent with national policy and the London Plan
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5. Please give details of why you consider the New Southwark Plan not to be legally compliant or unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the New Southwark Plan, please also use this box to set out your comments.

See accompanying letter dated 27 February 2018 (ref: 16119/03/MH/KP/15435753).

6. Please set out what change(s) you consider necessary to make the New Southwark Plan legally compliant or sound. You will need to say why this change will make the New Southwark Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible

See accompanying letter dated 27 February 2018 (ref: 16119/03/MH/KP/15435753).

For ease of reference, we set out below our **suggested wording changes** to the policy:

1. *“New community facilities (Use Class D1, D2 and Sui Generis) will be permitted where provision is made for the facility to be used by all members of the community.*
2. *Development should retain community facilities unless:*
 - ***Their loss is to be replaced as part of proposed development with an equivalent or better provision in terms of quantity or quality; or ~~-In exceptional circumstances there~~***
 - ***an assessment has been undertaken which shows there is ~~may~~ no longer ~~be~~ a local need for a facility. This must be demonstrated through evidence of suitable marketing for continuous period of at least two years, immediately prior to any planning application, for both its existing condition and as an opportunity for an improved community facility.”***

Part B: Representation

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1. To which part of the New Southwark Plan does this representation relate to?

Implementation policy:	<input type="text"/>
Development Management policy:	<input type="text"/>
Area Vision:	<input type="text"/>
Site Allocation:	<input type="text"/>
Proposal Map:	<input type="text"/>
Other:	Fact Box: Open Space Designations

2. Do you consider the document to be legally compliant in accordance with the Town and Country Planning (Local Planning) (England) Amendment Regulations 2012?

- Yes
 No

3. Do you consider that the New Southwark Plan is Sound?

- Yes
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See accompanying letter dated 27 February 2018 (ref: 16119/03/MH/KP/15435753).

For ease of reference, we set out below our **suggested wording changes** to the policy:

*“Other Open Space (OOS) **are** Open Spaces that are not MOL or BOL, but meet one or more of the following criteria:*

- i Allotments;*
- ii Public open space including public parks and gardens;*
- iii Playing fields and sports grounds whether publicly or privately owned;*
- iv Private open space which is of benefit to the local community;***
- v Open space that has been created and secured through planning obligations;***
- vi Sites of ecological importance.*

Other open space does not include open spaces that are ancillary to, and/or within the curtilage of a building.”

Part D: Public Examination (required)

If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

~~No, I do not wish to participate at the oral examination~~

Yes, I wish to participate at the oral examination

It is vital that your contact details are submitted correctly to ensure that you can be contacted if you wish to participate in the public examination. Please tick the checkbox to confirm that the details which have been provided are correct.

I confirm that all details provided are correct

For avoidance of doubt, we would like the opportunity to participate in any discussions relating to all those policies listed above and referenced in our letter dated 27 February 2018 during the Examination in Public.



GERALDEVE

72 Welbeck Street London W1G 0AY

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[REDACTED]
 Head of Planning Policy – New Southwark Plan
 London Borough of Southwark
 5th Floor
 Hub 4
 Southwark Council
 PO Box 64529
 London
 SE1P 5LX

27 February 2018

Our ref: NJB/JKINN/U0003930

Your ref:

Dear [REDACTED]

New Southwark Plan Representations

We write on behalf of our client, Greenspruce GP Limited (“Greenspruce”), to make representations in respect of the New Southwark Plan Proposed Submission Version. Our instructions come via Invesco Asset Management which manages Greenspruce’s property holdings.

Background

Greenspruce is the registered proprietor of the long leasehold interest in 107 Dunton Road, London, SE1 5HG (the “Site”), such leasehold interest having approximately 992.5 years unexpired. The Site is a 2.2 hectare site located on the Old Kent Road currently comprising a Tesco Superstore and petrol filling station, with surface-level parking. The Site is leased to Tesco Stores Limited.

The existing Tesco Superstore employs approximately 250 people and provides a key service to existing and future residents. It is also an important and valuable asset which is owned by Greenspruce as part of long term investment strategy.

This Site comprises part of an identified 4.1 hectare Site Allocation in the draft New Southwark Plan: NSP58: 107 Dunton Road (Tesco store and car park), Southernwood Retail Park. The Southernwood Retail Park, separated from the Site by Humphrey Street, lies outside of our client's ownership.

Further detail is provided in the detailed Site Allocation set out in the draft Old Kent Road Area Action Plan (Allocation OKR 4). Representations will be submitted in due course in respect of the draft Old Kent Road AAP, in advance of the deadline of 21 March.

The Site has also been identified by Transport for London (“TfL”) as potentially being a location for a new underground station and entrance as part of the proposed Bakerloo Line Extension (“BLE”)

The context for these submitted observations and suggestions is our client's freehold ownership of an identified, strategic development opportunity, potentially capable of supporting a significant number of new homes, transport infrastructure, large-scale replacement and additional retail

provision, commercial floorspace, and enhanced public realm. Our client's site represents one of the most strategic development opportunities within the Old Kent Road Opportunity Area and Area Action Plan area. Policies should fully support intensification and strategic growth, including tall buildings upon the Site, both with or without the delivery of the BLE.

Greenspruce GP Limited advised by Invesco Asset Management, are fully supportive of the strategic policies of the draft New Southwark Plan and it is clear that the Site will play a critical role in delivering these strategic objectives in the context of the long-term regeneration and intensification of the Old Kent Road. Delivering new homes, jobs, well-designed public spaces and places that will improve the quality of life and reduce inequality for existing, as well as future, Southwark residents are inherently laudable aims and will form the heart of any future redevelopment of the Site. The representations are made in this letter relating to specific policy wording of relevance to the strategic development aspirations for the Site.

Site Allocation: NSP58

The high-level site allocation which includes this Site is supported in principle. Detailed comments will be made as part of additional representations which will be submitted at a later stage in respect of the draft Old Kent Road AAP. Similarly, the aspirations of the proposed Old Kent Road Area Vision are supported but will be commented on in more detail as part of the draft Old Kent Road AAP consultation.

It is, however, worth noting that the draft allocation stipulates that the Site "must" provide new homes, retail, community uses and public open space; "should" provide employment uses and "may" provide visitor accommodation. The potential for hosting a new underground station is referred to. In addition to this, the allocation states that the Site should **"respond positively to the objectives of the AAP and provide the appropriate facilities for health care, education, and leisure facilities as well as community energy and transport infrastructure."** As noted previously, the potential space, cost, complexity and deliverability complications associated with delivering substantial transport infrastructure should be factored into consideration in respect of the expectations of this Site to deliver extensive public benefits and community facilities, in addition to a range of land uses, including, importantly, potentially over 1,000 new homes. This Site is only one amongst many that will ultimately be regenerated along the Old Kent Road and it is therefore suggested that the wording highlighted above be slightly amended to simply acknowledge the complexity of the development opportunity. It is suggested that the Site should:

"respond positively to the objectives of the AAP and provide the appropriate facilities, if practically feasible and viable, for health care, education, and leisure facilities as well as community energy and transport infrastructure."

It is important to acknowledge that the single Site Allocation falls within two distinct land ownerships. Therefore, it is further suggested that the Site Allocation wording should explicitly acknowledge this and emphasise that delivery of public benefits and community infrastructure should be considered holistically to ensure that one or either of the land parcels is not burdened with, for example, the expectation of delivering an unreasonable level or mix of land uses, facilities or public space such that deliverability of either development opportunity would be compromised.

Policy P1: Affordable Homes

This draft policy sets out a clear position in respect of expectations for affordable housing delivery. Whilst the overall approach is not challenged, in principle, and it is noted that the requirement for a

minimum of 35% is 'subject to viability' it is proposed that a greater acknowledgement of the potential costs of major transport infrastructure projects is made explicit.

There are relatively few sites in Southwark which are expected to accommodate significant transport infrastructure in the future. This Site could be one of them. The potential requirement to accommodate an identified tube station could significantly increase the complexity of redevelopment.

It is proposed that draft Policy P1 could incorporate the following text to acknowledge this potential space and complexity burden and the potential ramifications for also delivering significant levels of affordable housing and other public benefits:

“Where significant infrastructure and/or public amenities are required to be accommodated on-site, the viability process will take this into account and more flexibly apply the requirements of this policy.”

Policy P4: Private Rented Homes

In principle, this policy is welcomed. It is recognised by both the Government and the Mayor of London that this sector plays a crucial role in housing Londoners unable, or who choose not, to purchase their own homes. This recognition in the draft New Southwark Plan is a positive.

Whilst generally the wording of the proposed policy is supported, it is noted that the requirement for a minimum 30 year covenant on any homes built to rent is out of alignment with the Mayor's recommended 15 year minimum covenant, as per the Mayor's Housing SPG (2016) and the draft New London Plan. Whilst the draft London Plan recognises that covenant lengths will increase as the market matures, this sector is still very much in its nascent stages and has not matured to any significant extent. It is suggested that this 30 year covenant length requirement should be reduced to a minimum requirement of 15 years, in line with the Mayor's current and emerging requirements.

It is noted that draft Policy P4 does not make any material allowance for the distinct economics of build to rent development, as required by Central Government, the London Plan and the GLA SPG, subject to viability. It is proposed that explicit recognition of the distinct economics of this housing sector should be included in Policy P4, rather than the blanket stipulation of a minimum 35% affordable housing delivery.

Further consideration should also be given to proposed tenure mix set out in Policy P4. It is clear that it is not possible to deliver the stipulated proportions of social rent equivalent, London Living Rent and depth of discounts required whilst still meeting the headline of 35% affordable housing delivery. There needs to be a trade off if build to rent is to be delivered at scale.

Policy P9: Optimising Delivery of New Homes

This draft policy includes a table of recommended residential density ranges. It is proposed that this table should be omitted, recognising that the draft New London Plan (draft Policy D6) no longer includes a density matrix and instead emphasises that the optimum density of a development **“should result from a design-led approach to determine the capacity of the site”**.

It is further suggested that the following text could be included:

“The highest residential densities will be encouraged and optimised in areas strategically identified for intensification and regeneration, including the CAZ and Opportunity Areas”.

It is considered that the prescriptive list of requirements set out in draft Policy P9 are overly restrictive in the context of a design-led approach, and a wider policy context which is encouraging of innovative housing delivery and optimising of development capacity, particularly of relevance to this Site which could potentially support a new tube station as well as large-scale retail in combination with a range of other commercial and residential uses.

Aside from omitting the prescriptive density ranges, it is proposed that dense, high-quality housing should not necessarily be required to exceed minimum internal space standards (2.3), exceed private and communal amenity space standards (2.9) or provide private amenity space in a particular format (2.11), in the form of fully or partially inset balconies.

Housing of exceptional quality can be delivered through meeting minimum standards and emphasis should be placed on optimising development capacity in highly accessible locations without compromising overall housing numbers through exceeding standards that are considered perfectly acceptable elsewhere in the borough. Design solutions should be appropriate for the site in question, responding to the site-specific constraints and opportunities, with the ability to consider innovative typologies that also respond to demand, and are not constrained by prescriptive policy.

It is considered that draft Policy P9, if rigidly applied, could potentially restrict the capacity of major development sites, particularly those required to support a range of uses in innovative formats (i.e. residential mixed with large-scale retail as well as transport infrastructure).

Policy P13: Residential Design

A number of criteria are set out in this policy which are mostly positive in seeking to secure high standards for residential delivery. It is noted that criterion 1.5 stipulates shared entrances between affordable and market homes in apartment blocks will be required. Whilst this may well be achievable and appropriate in, for example, purpose built rental accommodation with affordable homes let at discounts to market rent, it is contended that this might not be practical or viable in all mixed-tenure schemes. For instance, where the affordable element may well be owned and operated by a standalone Registered Provider it is likely they would have their own specification for maintenance, entrances, circulation and common spaces which would create a ceiling at which a potential service charge could be set. This could well contrast and undermine the market element of the scheme. Whilst external design should be tenure blind, shared entrances will not necessarily provide the optimal arrangement. The wording of this criterion could therefore be more nuanced.

Clarification is sought in respect of criterion 1.7 and those which follow. This criterion specifies that residential development must be dual aspect before proceeding to set out the standards that single aspect apartments must achieve. It is suggested that a small proportion of single aspect apartments will often be difficult to avoid – acknowledged in the criteria 1.8 – 2 – and thus criterion 1.7 could be worded to acknowledge this more explicitly.

Policy P14: Tall Buildings

This policy is welcomed in its presumption that tall buildings are most appropriately located at points of townscape significance in areas, in areas with excellent PTAL ratings and in opportunity areas where there is the greatest scope for regeneration. The criteria for tall buildings are mostly supported. The only exception is criterion 2.11. This requires a new publicly accessible space at, or near, the top of the building and communal facilities for users and residents when above a height of 60m. The reality is that not every building above 60m will merit a new publicly accessible space either by virtue of its use or its location. The requirement for facilities for residents or users is

arguably appropriate, however it is suggested that the wording for this criterion should be amended to only require publically accessible space **“where considered appropriate”**.

Whilst Part 1 of this policy promotes taller buildings in Opportunity Areas, it is suggested that the proposed definition of ‘townscape significance’, provided in the supporting ‘Reasons’ for the policy should be amended to reflect this, as follows:

“We define the significance of a location by its proximity to the meeting of strategic routes, major public transport stations, and public transport provision, and position within areas identified for significant intensification and regeneration, including Opportunity Areas.”

Policy P23: Education Places

This draft policy stipulates that **“where additional school places for new residents are needed, development must provide these by providing new school places.”** Whilst the provision of sufficient school places across the London Borough of Southwark is, of course, a necessity, it is proposed that the wording of this policy should more explicitly refer to the London Borough of Southwark’s anticipated pipeline of school developments and extensions based on projected housing delivery, with the requirement to provide new school places only for those unanticipated developments which go beyond the projected housing supply.

Policy P29: Small Shops

Old Kent Road is identified as a Major Town Centre and it is anticipated that any future redevelopment of this Site will include a significant quantum of retail floorspace, not least the replacement of the existing retail baseline. Regard will need to be had to the scale and format of the proposed retail and there is still a clear role and need for larger format retailers, including the Tesco superstore, which currently occupies the Site. Larger retail units will ultimately be provided alongside smaller units.

The requirement of the draft wording of Policy P29 that requires developments of over 2,500 sq m to provide at least 10% of this space as small shops is too prescriptive and potentially not appropriate, or deliverable in instances such as this Site where the reality of the total quantum of retail floorspace proposed – due to its large-scale format – is such that the provision of 10% of this space as small-format retailing could potentially be onerous. It is proposed that this 10% requirement should be omitted from this policy and that instead the requirement for the delivery of small shops should be appropriate and proportionate to the nature of the Site’s position and function within the surrounding town centre.

If the 10% threshold is to remain a requirement of this policy then clarification should be made that this threshold only applies to net additional retail floorspace compared with the existing baseline and mix of retail units.

Policy 46: Public Transport

The wording of this policy requires new development to demonstrate capacity in the public transport network, taking into account existing and permitted development. It is proposed that this policy should go further in explicitly acknowledging that proposed transport infrastructure improvements, for example the BLE, will be a material consideration in evaluating the capacity of a development site, recognising that the timescales for delivering the BLE and the timescales involved with taking a site through the planning process through to the point of development may not neatly align, but

due to the significant investment involved a level of policy comfort in terms of taking into account proposed new infrastructure would be a welcome amendment. This is especially salient given that draft **Policy 51 (Transport Infrastructure Improvements)** stipulates that new development “**must support the implementation of...the Bakerloo Line extension to Old Kent Road**”.

Policy 47: Highways Impacts

Criterion (5) of this policy states that all deliveries and servicing for large development sites must take place within development sites and not on the public highway. It is considered that this blanket approach is not necessarily appropriate, particularly for large-scale, masterplanned schemes where a managed approach to on-street servicing might be entirely appropriate, and allow for the optimisation of development capacity and density. It is recommended that this criterion be amended as follows:

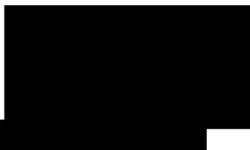
“On-site deliveries and servicing will be prioritised only where it is demonstrated that on-street servicing and deliveries would result in an adverse impact on the existing highway.”

Conclusion

Greenspruce GP Limited advised by Invesco Asset Management, support the strategic aspirations of the emerging New Southwark Plan and welcome this opportunity to provide observations and suggestions in respect of refining the emerging policies to optimise the potential for unlocking the regeneration of the Old Kent Road.

We trust that these representations are of use and will be taken into account as the New Southwark Plan moves towards formal adoption. If it would be helpful to discuss the contents of this letter further then please do not hesitate to contact me.

Yours sincerely



Partner



New Southwark Plan Proposed Submission Version representations form

Part A: Contact details

If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in the next section.

1: Personal details

Title:	<input type="text" value="█"/>
First Name:	<input type="text" value="█"/>
Last Name:	<input type="text" value="█ (Invesco Asset Management)"/>
Organisation (Where relevant):	<input type="text" value="Greenspruce GP Limited (advised by Invesco Asset Management)"/>
Position (Where relevant):	<input type="text"/>
Address line 1:	<input type="text"/>
Address line 2:	<input type="text"/>
Address line 3:	<input type="text"/>
Postcode:	<input type="text"/>
Email:	<input type="text"/>
Telephone:	<input type="text"/>

2. Agents details (if applicable)

Title:	<input type="text" value="█"/>
First Name:	<input type="text" value="█"/>
Last Name:	<input type="text" value="█"/>
Organisation:	<input type="text" value="Gerald Eve LLP"/>
Position:	<input type="text" value="Partner"/>
Address line 1:	<input type="text" value="72 Welbeck Street"/>
Address line 2:	<input type="text" value="London"/>
Address line 3:	<input type="text"/>
Postcode:	<input type="text" value="W1G 0AY"/>
Email:	<input type="text" value="█"/>
Telephone:	<input type="text" value="█"/>

Part B: Representation

Please select **one** policy per form to select which part of the plan you wish to make a representation on. The one option you select should be the item you should be commenting on in the subsequent boxes below. If you want to comment on more than one part of the plan, please submit part B again.

1. To which part of the New Southwark Plan does this representation relate to?

Implementation policy:

Development Management policy:

Area Vision:

Site Allocation:

Proposal Map:

Other:

2. Do you consider the document to be legally compliant in accordance with the Town and Country Planning (Local Planning) (England) Amendment Regulations 2012?

Yes

No

3. Do you consider that the New Southwark Plan is Sound?

Yes

No

4. Do you consider that the New Southwark Plan is unsound because it is not?

Effective

Justified

Consistent with national policy and the London Plan

Positively prepared

5. Please give details of why you consider the New Southwark Plan not to be legally compliant or unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the New Southwark Plan, please also use this box to set out your comments.

See enclosed letter

6. Please set out what change(s) you consider necessary to make the New Southwark Plan legally compliant or sound. You will need to say why this change will make the New Southwark Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible

See enclosed letter

Part D: Public Examination (required)

If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

- No, I do not wish to participate at the oral examination
- Yes, I wish to participate at the oral examination

It is vital that your contact details are submitted correctly to ensure that you can be contacted if you wish to participate in the public examination. Please tick the checkbox to confirm that the details which have been provided are correct.

- I confirm that all details provided are correct

Part E: Equalities monitoring

Equality and engagement with our diverse communities is central to the day to day delivery of our Southwark Council Services. To deliver on our commitment to a fairer future, we need to collect some equality information about you. This also forms part of our legal responsibilities under the Public Sector Equality Duty of the Equality Act (2010).

We would therefore appreciate it if you could spend a few minutes filling in the details below. This information helps us to measure and analyse how well we are engaging with all those who live and work in the borough. Please do remember that whilst this information is very useful for our work, you are not obliged to answer or complete any or all of this information. Southwark Council is the data controller for the purposes of the Data Protection act.



Planning Consultants

DP4549

27 February 2018

Planning Policy
Chief Executive's Department
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London
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DP9 Ltd
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London SW1Y 5NQ

Registered No. 05092507


www.dp9.co.uk

Also sent by email to planningpolicy@southwark.gov.uk

Dear Sir/Madam,

THE NEW SOUTHWARK PLAN SUBMISSION PLAN - (FEBRUARY 2018) – REPRESENTATIONS ON BEHALF OF GREYSTAR EUROPE HOLDINGS LTD

These representations are submitted to Southwark Council (the 'Council') on behalf of our client Greystar Europe Holdings Ltd ('Greystar') in respect of the Council's New Southwark Plan Submission Version ('the Submission Plan').

Greystar is a global real estate company and currently owns and manages 420,000 homes worldwide comprising multifamily, student accommodation and senior living. Since entering the UK market in 2013, Greystar has acquired a rental portfolio by investing in new multifamily housing and student accommodation properties. Greystar currently owns and manages 5000 homes in London with a further 4,000 in planning or under construction.

Greystar has significant interest in the London Bridge Vision Area following its acquisition of Capital House at 40-46 Weston Street. Greystar is looking to bring forward a flagship student accommodation development on the site, its first development in the borough. As a result, Greystar is fully committed to investing in the London Bridge Vision Area, in particular site NSP52 (Land between Melior Street, St Thomas Street, Weston Street and Fenning Street — in which Capital House is located), and subsequently supports the principles in the Site Allocation.

It is within this context that Greystar welcomes the opportunity to make representations on the Submission Plan. We provide commentary on the relevant issues pertinent to the site and Greystar's proposals.

P24: Student Homes

Greystar generally supports this policy and the aspiration to provide quality student accommodation. However, we have serious concerns in relation to the requirement of 35% affordable housing and 27% discount student rent. This equates to 62% of proposed GIA being either affordable housing or discounted student rents. The remaining 38% of units available to the student market would have to be of such a high value that there could be no possibility of any PBSA schemes coming forwards and satisfying both elements of the policy. This draws the question on why the policy is drafted in such a way.

Greystar consider generally that Part 2 of the policy will significantly constrain future opportunities for PBSA and for the affordability of the market units within PBSA consents. There is relatively little PBSA in London, particularly of a good quality, though noting Southwark is doing better than average, therefore much of the student accommodation is substandard conversions of existing stock, often at the expense of family dwellings. By limiting PBSA development this issue will not be alleviated and could in fact increase the problem. Where the pipeline of units is constrained and the units coming forward are artificially costly, the result will be to increase pressure on the wider London housing market and decrease the affordability of the market student units.

We are also unclear as to the definition of affordable student rent. The draft London Plan links this level to government policy on grants. PBSA developments are undertaken in a market context with all the associated costs of development. Any discounted rate should be considered against the market, not against government policy on grants (which could change). Linked to this, access to such affordable units might be through a list held by a higher education institute (nominated route) but there does not appear to be any consideration of how these units are allocated where a nominations agreement is not in place.

NSP52: Land between Melior Street, St Thomas Street, Weston Street and Fenning Street

The Site

As described in the Submission Plan, the site comprises Capital House (a multi-let office building— acquired by Greystar), Becket House (housing the UK Border Agency), with the rest of the site undeveloped and predominantly occupied by car parking. The site also includes Melior Street Community Gardens which forms the south east corner of the site, on the junction of Fenning Street and Melior Street.

Site Vision

We note there have been a number of changes to the Site Vision since the Preferred Options draft of the plan in April last year.

With regard to the second part of the vision, the language has sharpened from suggesting some uses ('may' provide new homes and visitor accommodation) to proposing uses that 'should' be included (residential). It is our understanding that this site should be considered as primarily commercial in use. Any residential within the site allocation would be detrimental to the office space being provided which would conflict with the draft New London Plan, namely Policy



SD5 Offices, other strategic functions and residential development in the CAZ. This policy specifically notes that new residential development should not compromise the strategic functions of the CAZ of which offices is the primary function. We suggest the wording of the site allocation reverts to the original description which would allow flexibility to include residential if this did not harm the provision of office accommodation.

The Site Vision also notes that there is an extant permission (14/AP/4640) which relates to a residential tower on the Capital House site. It should be noted that this consent is due to expire in November 2018. However, of greater relevance and material weight is the implemented consent for a tower containing student accommodation (10/AP/2754). This consent remains extant and could be built out. As such, the vision should recognise that student accommodation could also be part of the development of this site.

Conclusion

We trust that our representations will be fully considered and taken into account as the preparation of the New Local Plan continues. If you require any clarification on any matters, or wish to discuss our representations further, please do not hesitate to contact [REDACTED] or [REDACTED] at this office.

Yours faithfully

[REDACTED]

DP9 Ltd.

cc: [REDACTED] : Greystar Europe Holdings Ltd



GERALDEVE

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27th February 2018

Our ref: NJB/J7911

Dear [REDACTED]

**New Southwark Plan (November 2017) – Proposed Submission Version
 Representations on behalf of Grosvenor Britain and Ireland (Grosvenor)**

Further to previous discussions and meetings, we write on behalf of Grosvenor to make formal representations upon the New Southwark Plan Proposed Submission Version.

Background / Introduction

In October 2017 Grosvenor submitted a planning application for the comprehensive mixed-use redevelopment of its 5.4 hectare strategic site comprising the Biscuit Factory and Bermondsey Campus sites located in Bermondsey within the London Borough of Southwark.

Grosvenor is proposing to deliver up to 1,343 new build to rent¹ homes alongside a new school, employment space, new shops and amenities and a significant provision of new, public open space, play space and public realm.

In September 2017 we made written representations on Grosvenor's behalf to the previous consultation version of the New Southwark Plan in relation to the Site Allocation NSP08² Biscuit Factory and Campus and the draft private rented homes policy DM4³.

Building upon the previous representations, this document focusses primarily on the Site Allocation NSP10, the boundary of The Blue Local Centre and New Southwark Plan Policy P4 – private rented homes. It reiterates a number of points made previously which have not, in our view, been addressed in the latest version of the policy.

Grosvenor's strategic planning application ("Grosvenor's proposals") is scheduled to be determined in June 2018. We are keen to ensure that the site allocation and private rented homes policy adequately reflect the specific site conditions and the distinct economics of delivering build to rent housing. This will enable the timely delivery of new homes on these sites thereby making a positive contribution to the supply of new housing of all types in Southwark.

¹ The terms "Build to Rent" and "Private Rented" have historically been used interchangeably to describe homes designed and delivered specifically for rent, as opposed to for sale. For the purposes of this document, and in line with the Draft New London Plan, we will refer to these homes and as "Build to Rent".

² Now referred to as Site Allocation NSP10 Biscuit Factory and Campus

³ Now referred to as policy "P4 Private rented homes"

1. Proposed Site Allocation NSP10

The Proposed Submission Version of the Plan includes a site-specific allocation for the Biscuit Factory and Bermondsey Campus Site (NSP10).

The Site Allocation promotes the residential-led redevelopment of the site, as well as the provision of business, retail and leisure floor space and a replacement school. Design and Accessibility Guidance within the Site Allocation acknowledges the potential for the delivery of taller buildings on the site, subject to the assessment of impacts on character and townscape, and supports the delivery of improved pedestrian and cycle links in the area to The Blue Local Town Centre (The Blue) and Bermondsey Underground Station.

Grosvenor strongly supports the proposed site allocation NSP10 which aligns closely with their aspirations for the site and the current planning application.

These representations seek to make minor amendments to the wording of the Site Allocation to ensure it accurately reflects the capacity of the site and is clear and consistent as to the requirements for redevelopment. For clarity, we have set out our comments and suggested amendments to the Site Allocation text in the table below.

Current Draft Text	Our Comments	Our Suggested Text (deletions struck / additions underlined)
Deliver a comprehensive mixed use development including at least 1,500 homes.	The Site Allocation should be amended to refer to an approximate residential capacity for the site, rather than an 'at least' minimum to allow some flexibility above or below the target. The current planning application is for 1,343 new homes.	"Deliver a comprehensive mixed use development including <u>approximately</u> at least 1,500 homes"
"A number of the original warehouse buildings are unlisted heritage assets and these should be retained and integrated into any comprehensive redevelopment where possible."	Celebration of the site's heritage and historic buildings is central to Grosvenor's masterplan proposal, which includes retention of the largest warehouse on site. As the site is not within a Conservation Area and in the absence of a register of 'Locally Listed' buildings for the Borough, we request that this reference to unlisted heritage assets is removed.	A number of the original warehouse buildings are unlisted heritage assets and these should be retained and integrated into any comprehensive redevelopment where possible.
"Provide active frontages with town centre uses (A1, A2, A3, A4, D1, D2) at ground floor level, enhancing the adjacent Low Line walking route";	An integral component of Grosvenor's masterplan is active ground floor uses. It is proposed to provide an appropriate and varied mix of commercial uses across the site at ground floor to help meet the needs of Bermondsey, establish identity and support a vibrant and active mixed-use community which will also grow critical mass of, and generate additional footfall and custom for The Blue. We therefore support reference to active frontages within the site allocation but suggest a slight amendment to the proposed wording to reflect that appropriate active uses are supported across the site.	Provide active frontages with town centre uses (A1, A2, A3, A4, D1, D2) at ground floor <u>Level across the site, as well as</u> enhancing the adjacent Low Line walking route;
Site Vision Diagram: Opportunity for Active Frontages	Grosvenor appreciates that this is illustrative, however the Vision Diagram implies that the opportunities for active frontages are limited to spaces adjacent to the Low Line which, we consider, is not the intention of the draft policy (or our suggested amendment) above.	We suggest that the Opportunity for Active Frontages (dashed purple line) is removed and, instead, the site allocation as a whole is colour shaded to represent Opportunity for Active Frontages site-wide.

The site allocation seeks to ensure that the quantum of retail, restaurants and other town centre leisure uses are commensurate with, and will complement The Blue Local Town Centre. This approach is supported and should be explicitly stated within the allocation text.

In other respects the site allocation is fully supported.

2. Expanded Local Centre Boundary

The Blue Local Town Centre lies to the South of the Biscuit Factory site with its boundary currently drawn around the retail frontage along Southwark Park Road including Market Place.

Draft policy P30 Town and local centres states the importance of ensuring that town centres in Southwark are maintained as lively and interesting places. As a core part of its Legacy Strategy, Grosvenor is committed to working with Southwark Council, The Blue Bermondsey Business Improvement District, local business owners and other key stakeholders to ensure the future success of the Blue as a vibrant and economically thriving local centre.

Following discussion with officers, Grosvenor proposes an extension to the Blue Local Town Centre Boundary to include the Biscuit Factory and Bermondsey Campus sites within Site Allocation NSP10. We propose that the boundary be expanded in order to create a retail offering in Bermondsey with greater critical mass, which is supported by footfall generating leisure, cultural and food and drink uses, which once Grosvenor's proposals are delivered, will function physically and economically as a holistic, connected and vibrant centre.

Strategic Rationale

The Retail and Leisure Assessment (RLA) produced by Quod and submitted with Grosvenor's 2017 planning application⁴ and the Southwark Retail Study (2015) identifies that The Blue Local Town Centre is performing poorly and vulnerable, in particular to forthcoming retail developments at Canada Water and Elephant and Castle.

Paragraph 8.57 of the Southwark Retail Study states that:

"The Blue is one of the worst affected in terms of proportional impact, because it falls between major development proposals within the north of the borough, i.e. Elephant & Castle, Heygate Estate and at Canada Water."

In terms of relative trading performance, the Blue currently performs a limited role borough wide. It achieves a retail market share of just 3.5%, and food and beverage market share of 3.1% within Zone 2 of the wider study area identified for the Council's Retail Study (2015). It suffers from a lack of footfall with a significant amount of local retail expenditure being directed to other facilities both within and outside the borough.

The RLA states that as competition increases in the future, namely at Surrey Quays / Canada Water and at Elephant & Castle, without an improvement in the area, there is a clear possibility that The Blue's market share will decline further, which will lead to adverse consequences for its long-term vitality and viability.

The RLA finds that the retail and leisure space within Grosvenor's proposed scheme, and the anticipated proposal from Network Rail in the Arches, will have a permanent positive effect upon The Blue Local Town Centre.

⁴ Available online under planning application reference 17/AP/4088

Through critical mass, spin off benefits, expenditure clawback and significantly increased footfall through two proposed new pedestrian routes under the Arches (subject to all necessary consents), Grosvenor's proposals will contribute positively to the economic success and long term future of The Blue as follows:

- the turnover of the Blue Local Town Centre is forecast to increase following delivery of Grosvenor's proposals by £3.69m between 2017-2022, and £9.11m (between 2017-2027) from its 2017 level of £49.07m;
- the new routes under the arches and the public realm improvements on Bombay Street proposed in Grosvenor's Draft S106 terms will ensure effective physical linkages between The Blue, the Low Line, the Biscuit Factory and Bermondsey Underground Station;
- Grosvenor have proposed that a Retail Strategy is secured within the S106 agreement to ensure that the retail offer and mix across the Biscuit Factory and Campus sites is managed long term in a manner which is complementary to the Blue; and
- Grosvenor already actively supports the Blue Business Improvement District, working in partnership across a range of initiatives and will continue to do so as part of its focus on Enterprise within its Legacy Strategy.

Accordingly, and as discussed with officers, it is considered that the mix of retail, leisure, culture and employment uses proposed at the Biscuit Factory and Bermondsey Campus sites will make a positive contribution to the long term success of the Blue Local Town Centre and will help to re-vitalise The Blue as a thriving local economy for Bermondsey. We therefore propose that the local centre boundary be redrawn to include the Biscuit Factory and Campus sites.

3. Private Rented Homes – Proposed Policy P4

Wider Policy Context

Grosvenor has been engaging with Central Government and the GLA through the British Property Federation and London First for several years as the Build to Rent (BTR) sector has become fully recognised in planning policy and guidance at the national, London wide and local level.

The Government's Housing White Paper and the Draft New London Plan policy H13 both fully recognise the critical role that purpose built rental housing can make in contributing to solving the housing crisis by:

- providing accessible high quality well managed rented housing for a wide range of households;
- encouraging a private rented sector which provides a greater level of security for tenants to that which is offered by much of the current private rented sector;
- ensuring a commitment to, and investment in, place-making through single ownership;
- providing better management standards and better quality homes than much of the mainstream private rented sector; and
- accelerating the delivery of new homes.

Draft New London Plan policy H13 recognises that the BTR development model differs from a traditional for sale scheme. BTR developments rely upon income generated from rent over a long period, as opposed to profit realised upfront from the sale of new homes. This is referred to as the "distinct economics" of the sector.

Draft New London Plan policy H13 also states that where a development meets certain criteria, the affordable housing offer can be solely Discounted Market Rent (DMR) homes managed by the BTR provider, fully integrated into the development and with no differences between DMR and market units.

Draft Policy P4

Grosvenor welcomes the inclusion of draft policy P4 as an important and proactive step to enable BTR developments to contribute to the delivery of new homes in Southwark. In particular, we support:

- Criteria 1.2 – providing a mix of unit sizes which reflects local need for rented property;
- Criteria 1.7- the provision of affordable housing as “discount market rent” homes⁵ into perpetuity;
- Criteria 1.8 - the inclusion of a viability review mechanism to increase the number of and/ or affordability of affordable homes⁶;
- The acknowledgement of the potential benefits BTR housing can bring to the local economy; and
- The encouragement for a private rented sector which provides high quality professionally managed accommodation and a greater level of security for tenants.

There are a number of aspects of draft Policy P4 however, that in our view require refinement in order to support the supply of BTR housing.

- Criteria 1.3 – design standards

We agree that BTR housing should generally meet the same standards of design as build for sale homes. However there are some differences in the design approach for purpose built rental housing which can improve the quality of experience for private tenants and discount market rent tenants alike. In particular this includes the provision of communal facilities for residents, potentially in lieu of balconies on some units, to encourage community building and social interaction. We would suggest an addition to the wording to state “meeting the same standards of design as build for sale, whilst reflecting the specifics of Build to Rent housing and the demands of those renting”.

- Criteria 1.4 – tenancies for a minimum of three years

We support the proposal to provide private renters with the option to request a tenancy of up to three years with tenant’s break clause if there is demand for this, but suggest that private renters should not be obliged to take a three year tenancy if they would prefer a shorter term.

- Criteria 1.6 – private rented homes to be secured for the rental market for a minimum 30 year term.

Where any private rented homes are sold from the private rented sector within 30 years this will trigger a clawback mechanism resulting in a penalty charge towards affordable housing

- The minimum 30 year term over which the private rented homes are to be secured appears excessive and is double the minimum 15 year term recommended by the GLA in draft policy H13, and Central Government guidance. We would recommend that this is reduced to 15 years for consistency.
- We understand and support the need for a “clawback” mechanism if the private rented/ BTR homes are sold within the covenant period. However the use of the term “penalty charge” is not appropriate. The clawback should reflect the extent of any financial benefit secured by the Applicant of breaking the covenant. If there is no financial benefit (for instance where all the units are sold as ‘market sale’ but their value is equal or less than their value as BTR) there should be no ‘charge’.

⁵ This will enable the affordable homes to be managed by the build to rent provider and be fully integrated into the development with no differences between DMR and market units

⁶ Grosvenor has offered a one off post completion review mechanism in its October 2017 planning application to ensure future upside can be shared with Southwark Council to maximise affordable housing delivery



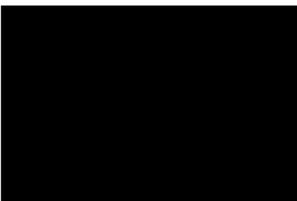
- Criteria 1.7 – Provide at least 35% affordable discount market rent homes at discounts in line with Table 3, subject to viability.
 - The New London Plan recognises that the economics of BTR housing are distinct from private for sale housing. BTR developments rely upon income generated from rent over a long period, as opposed to profit realised upfront from the sale of new homes. Unlike private for sale housing, the BTR sector is in its infancy and there is limited evidence and data available to assess the likely financial performance of schemes.
 - In response to the New London Plan draft policy H13, and in the context of the distinct economics of BTR housing, various industry bodies have expressed concerns around the ability of BTR developments in London to deliver 35% affordable housing – a concern we share.
 - The evidence base that supports the development of draft policy P4 is contained within BNPP's September 2015 Viability Report and is limited being based on only one relatively small site -site 67.
 - Our analysis to date demonstrates a clear trade-off between the quantum of affordable units deliverable and the depth to which the rents can be discounted.
 - Our findings (which Grosvenor are willing to share in full), have shown that it is not possible to reach the headline target of 35% whilst also delivering meaningful levels of discount. Nor is it possible to deliver the 35% headline target alongside the discounts set out in Table 3.
 - The early stage of the BTR sector in London and Southwark, coupled with the limited evidence currently available to assess likely performance leads us to recommend that a flexible approach is adopted in the refinement and application of draft policy P4, with sufficient weight to be given to the "subject to viability" component of this draft policy.

Grosvenor is committed to adopting a fully transparent approach to forthcoming affordable housing and financial viability discussions with Southwark Council and will share the analysis carried out to date in full with officers and councillors in support of these representations.

In light of the challenges described above, Grosvenor offered a post completion review mechanism within its October 2017 planning application to ensure the council is able to maximise affordable housing delivery if the performance of the completed scheme can support this.

We trust that these representations will be given due regard and look forward to discussing further with officers.

Yours sincerely



Partner



Cc: [Redacted] - Grosvenor

GROVE LANE AREA RESIDENTS ASSOCIATION

OBJECTIONS TO THE NEW SOUTHWARK PLAN

Policy Number; Topic; Page numbers	Soundness test	OBJECTION / TEST OF SOUNDNESS
P14 Tall Buildings Plan. pages 42 & 43	Not Justified Not Consistent with National Planning Policy	<p>This policy is not justified as it fails to take account of responses identified in the Consultation Report (pages 31-32) that stated specific locations for tall buildings needed defining in the NSP, involves a significant policy change on tall buildings with no new evidence to support the change and leaves each of the Area Visions nebulous as the locations proposed for Tall Buildings are unknown.</p> <p>This policy is not sound because it is not consistent with:</p> <p>A/ The Mayor’s Current London Plan (2016), through failure to comply with: “Tall and large buildings should be part of a plan-led approach to changing or developing an area by the identification of appropriate, sensitive and inappropriate locations” and “Boroughs should work with the Mayor to consider which areas are appropriate, sensitive or inappropriate for tall and large buildings and identify them in their Local Development Frameworks”.</p> <p>B/ The Mayor’s New Draft London Plan, through failure to comply with: “Development Plans should define what is considered a tall building, the height of which may vary in different parts of London”, “Tall buildings should be part of a plan-led approach to changing or developing an area. Boroughs should identify on maps in development plans the locations where tall buildings will be an appropriate form of development in principle and should indicate the general building heights that would be appropriate” and “Ensure appropriate management and maintenance arrangements are in place for the public realm, which maximise public access and minimise rules governing the space to those required for its safe management in accordance with the Public London Charter”.</p> <p>C/ National Planning Policy Framework, through failure to comply with the need for “early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses” so that Local Plans</p>

		<p>conservation areas in the Borough.</p> <p>By way of example, NSP24 (Butterfly Walk, Morrisons Car Park and Police Station) is surrounded by the Camberwell Green and Camberwell Grove Conservation Areas and the impact on these areas of any Tall Building should be a vital part of the consideration of any development plan at NSP24. The Council's Camberwell Green Conservation Area Appraisal emphasises (5.2.2) that the overall form of any development should remain in keeping with the morphological characteristics of the area, which (3.3.1) it states is distinguished by 3 or 4 storey blocks, though it accepts (3.4.3) that 6 storey blocks are in keeping with the Green itself. The Appraisal singles out among the worst of the "negative elements" the 1960s developments north east of the Green (including the former – Magistrates Court), which it says are rightly excluded from the Conservation Area but "still have an impact on it"(3.4.14). Similarly, the Camberwell Grove Conservation Area Appraisal regards (3.5.11) the (now demolished) Maudsley Hospital tower block (fig.39) as insensitive and a particularly intrusive negative element in that Conservation Area.</p> <p>The NSP should be reformulated in a way that minimises the chances of those types of planning errors being repeated.</p>
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27 February 2018



New Southwark Plan consultation
 FREEPOST SE1919/14
 Chief Executive Department
 5th Floor Hub 2
 Southwark Council
 London
 SE1P 5LX

33 Margaret Street W1G 0JD

T: [REDACTED]
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 savills.com

By email only: planningpolicy@southwark.gov.uk

Dear Sir/Madam,

New Southwark Plan: Proposed Submission Version (December 2017)

Thank you for giving us the opportunity to comment on the proposed submission Local Plan (Regulation 19).

We write on behalf of Guy's and St Thomas' Charity, who are an interested land owner and investor into the London Borough of Southwark..

These representations relate to the proposed site allocation '**NSP51: London Bridge Health Cluster**' in the proposed plan.

At a national level, the NPPF supports a presumption in favour of sustainable development, and it is noted that local plans are prepared positively and are instructed to not be onerous or place restrictive requirements that could stifle investment and regeneration opportunities.

It is our view that the London Borough of Southwark (LBS) is uniquely placed in London to act as a focus for growth and any new local plan must recognise and reflect this in its ambition. We are pleased to note that this sentiment is captured in the emerging Local Plan and would expect all decisions on policy direction to be framed and taken in this context.

With this in mind, we have the following comments relating to the proposed policies within the NSP which are discussed in detail below. We look forward to engaging with you further in relation to the proposed NSP in the future.

Background

The Charity are therefore principally interested in the policies relating to the London Bridge area and in particular the Guy's Hospital site.

The site lies within:

- London Bridge Area Vision
- London Bridge Health Cluster
- London Bridge District Town Centre
- Borough View Landmark Viewing Corridor: St Pauls Cathedral to Nunhead Cemetery
- Borough View Wider Setting Consultation Area: The London panorama of St Pauls Cathedral from One Tree Hill
- Archaeological Priority Area
- Bankside, Borough, London Bridge Strategic Cultural Area
- Bankside, Borough and London Bridge Opportunity Area

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

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- Central Activities Zone

Site Allocation NSP51: London Bridge Health Cluster

Our Client is currently exploring the future options with regards to the redevelopment of London Bridge site. We fully support the principles behind site allocation **NSP51** to deliver a large-scale comprehensive mixed use redevelopment to include health, retail and educational uses. However, aspects of the allocation are considered to be restrictive and we have set out our comments as below:

Residential and Student Accommodation Uses

We note that the provision of C3 residential uses and Sui generis student accommodation uses have not been included within the proposed allocation. Our client considers the inclusion of both residential and student accommodation uses within the policy to be of key importance for ensuring that the wider redevelopment of the site can take place. The provision of market housing and/or student accommodation on site would allow our client to raise the capital required to invest in the provision of improved health, education and research facilities.

Additionally, the site lies within both the CAZ and the Bankside, Borough and London Bridge Opportunity Area. Both of these London Plan designations confirm that the London Bridge site is a suitable location for residential dwellings and student accommodation.

As such we request the following addition to the policy:

Redevelopment of the site may:

- Provide for the needs of visitors, pedestrians and the surrounding workforce through the provision of ancillary uses, including town centre uses (A1, A2, A3, A4);
- Provide other ancillary uses which would complement the health cluster (C2, D1).
- **Provide residential uses (C3).**
- **Provide Student Accommodation (Sui generis)**

Making this change will provide flexibility and ensure that our client can access the required funds to enable redevelopment of the site is dependent on the provision of residential uses on site.

Employment Floorspace

We note that the wording of the proposed site allocation **NSP51** does not include specific reference to B1 office. The provision of offices supports the key function of the City and the CAZ. It is our clients understanding that office use will come forward as part of and to support the provision of the health, research and education facilities use. However, this is not clearly set out within the wording of the policy.

As such we request the following rewording of the policy:

Redevelopment of the site may:

- Provide for the needs of visitors, pedestrians and the surrounding workforce through the provision of ancillary uses, including town centre uses (A1, A2, A3, A4);
- Provide other ancillary uses which would complement the health cluster (C2, D1, **B1**).

Tall Buildings

We note that policy **NSP51** states that '*redevelopment of the site could include taller buildings*'. Our client fully supports the inclusion of this wording in the allocation site. However, we note that the policy does also state that the '*scale of any new buildings should step down towards the site boundaries*'. Whilst, the client recognises the importance of ensuring that the redevelopment of the site responds to the context of the surrounding area, the policy as written is too restrictive and does not take into consideration the fact that tall buildings can respond to the local environment without necessarily having to reduce in scale towards the boundaries of an allocation site.

As such we request the following addition to the policy:

Redevelopment of the site could include taller buildings subject to consideration of impacts on existing character, heritage and townscape. The scale of any new buildings should ~~step down towards the site boundaries~~ respond to the character, heritage and townscape of the local context.

This allows for **NSP51** to remain flexible to allow for a judgement on the design merits of building to be taken parallel to the local context.

In addition to the above, our client fully supports the Emerging Policy P14 (Tall Buildings) of the proposed plan which sets out that tall buildings will be located in areas that benefit from the highest levels of public transport access, typically major town centres, Opportunity Areas and the CAZ i.e. in which the London Bridge site is located, and consider that the principle of tall buildings can be accommodated on site allocation NSP51.

Public Examination

On behalf of our client we request that we attend and speak at the oral section of the Examination in Public. We would be grateful if you can provide written acknowledgment of receipt of these representations, and if you could keep us updated on the anticipated date for the Examination in Public, and on the progress of the New Southwark Plan.

Conclusion

In summary, our client supports a high quality, major mixed use redevelopment of the London Bridge site which would provide significant public benefits including health, education, research and employment.

However, the proposed site allocation NSP51 and the policies mentioned above in their current form would constrain potential redevelopment options and they would not be effective in their delivery.

Please do not hesitate to contact [REDACTED] if you have any further queries. In any event, we would be grateful if you could keep us updated of the progress of the New Southwark Plan.

Yours faithfully



Savills

From: Harkers Studio [REDACTED]
Sent: 27 February 2018 22:12
To: planningpolicy
Subject: New Southwark Plan comments

Dear Southwark,

Here are our comments on the New Southwark Plan. We would like to comment on IP6 (consultation) and SP4 (local economy).

In the last ten months, we have been running a campaign to save Harkers Studio (a purpose-built theatrical scenic studio) and to raise awareness of the loss of creative workspaces in Southwark. We appreciate that this site is rather small and doesn't match up to bigger developments near Elephant & Castle. We also understand that Harkers Studio is a building that is very industry specific in this case a subsidiary to the theatre industry. However, if the consultation had included bodies such as the Walworth Society, in particular in the light of the fact that two amenity societies out of three had advised against the change of use, the understanding of the use of the building within its local economy would have been better understood and valued.

It is worth noting that the area around Walworth has been home to a number of theatrical production making facilities over the last two centuries and we still find companies like Andy Kinghts and Stage Services within walking distance from Harkers. However, these are small businesses who need support from a sound policy framework in order to carry on with their business (P26/P28) this including securing their workspaces and leases. In turn, will secure various employment opportunities for the growing population.

Kind regards,

[REDACTED]
(campaign member)

--

www.southwarkcan.org/harkers

[REDACTED]

Sign the petition: <https://tinyurl.com/yakq9pps>

'Artistic workspaces are essential to London's world renowned theatre making. They are disappearing fast. The loss of the 113 year old purpose built Harkers Studio - which houses one of the very few paint frames left in the city - would be a heavy blow to so many of the designers and scenic artists of the theatre who create the shows the world comes to see.' - [REDACTED]

'I wish that I could have described the smell of the studio. Your great-grandfather sizes his canvases with fish glue and diluted powder pigments with a horse-bone soup. Both mixtures would have been perpetually boiling on a small stove somewhere in his painting room. You may recall the smell at the moment in theatres when the curtain went up and the aroma of glue-impregnated scenery was wafted on a gust of cold air.' - [REDACTED]



WE ARE NOT NOTHING

Do not expel the people and economy of Walworth

HAZELVILLE LIMITED

11a Ivor Place, London, NW1 6HS



23 February 2018

New Southwark Plan
Planning Policy
5th Floor, Hub 4
Southwark Council
P O Box 64529
London
SE1P 5LX

Dear Sir/Madam

**Re: New Southwark Plan - Proposed Submission Version NSP80
St Olav's Court & City Business Centre, London SE16 2XB**

We thank you for your recent letter of 15th January 2018 and for including us within this second stage consultation.

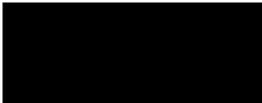
Hazelville is a long leaseholder on three separate units within City Business Centre which is part of the site identified by Southwark for future development.

Last year you wrote to us inviting our comments on the inclusion of the site in which our unit is located as a possible site for future development and we responded to the initial consultation.

We made representations on the first consultation and in particular we commented on the initial proposal of an arbitrary inflexible requirement for 50% of any new space built on the site to be for commercial purposes. We are pleased to note that the Council have now dropped this and the new requirement is that at least the same amount of commercial space must be included in any new development. We also note that your latest draft includes for the provision of high quality public realm space linking to protected open spaces to the south and this is something that we also welcome. Finally your site vision also includes for the provision of new homes (C3) again this is supported, especially as the previous fixed number of new homes of 73 has been removed, thereby increasing the chances of this site coming forward for development for the benefit of the community.

To summarise we fully support the proposed submission version of the new Southwark plan.

Yours faithfully



Hazelville Limited

Name: helen cleary Address: [REDACTED]

Email address: [REDACTED] Phone: [REDACTED]

I do not wish to take part at the oral examination/public hearings.

TOPIC Page no, Policy Number + Name	Test of Soundness	OBJECTION / TEST OF SOUNDNESS
<p>P16, Page 44 Listed buildings and structures</p>	<p>Not Effective</p>	<p>This policy is not effective because it does not ensure that the relevant specialist advice on the future viable use of the buildings and structures is available before a planning decision is made.</p> <p>Failure to assess damage to listed buildings at the right time and consult relevant stakeholders and subject specialists will result in important heritage loss. We have had a significant recent example of this in 2017. Harker’s Studio in Walworth SE17 – a specially designed building for painting theatre scenery Grade 2 listed - was given permission to be converted to residential, retaining a few of the features. The Council’s decision was taken on the basis of an opinion from an organisation that had no expertise in the viability of the studio in the future. After permission was granted, professional actors and scenery makers and users campaigned against the decision on the grounds that the building was indeed viable and needed in London, as such spaces were increasingly scarce. It then became obvious that the right specialists had not been asked for an opinion. Irreparable harm has now been done not only to the heritage asset but also to a viable structure of importance to the theatre industry.</p> <p>Clearly the consultation process in this case was inadequate. The policy needs to have an addition to avoid this happening again.</p> <p>To make this policy sound, an additional point could be added to the policy P16 on the following lines:</p> <p>3. When development is proposed affecting listed buildings and/or structures, a detailed consultation plan, including appropriate specialist assessments and with extended timelines for appraisal, should be presented with planning applications. The specialist interests to be consulted must include users and people and organisations knowledgeable about that industrial sector.</p>
<p>P17, pages 44-45 Conservation areas</p>	<p>Not Effective</p>	<p>The policy is not effective because of conflicting NSP policy that seeks high density residential developments.</p>

		<p>Currently Conservation Area Appraisals are being ignored when planning applications come up in Conservation Areas, because the pressure to build residential accommodation, even when unaffordable, seems to override. There is nothing new in this policy that would change this status quo. The result of this conflict is that permission is being given for buildings that are out of scale in height and mass with the Conservation Area, eroding its settings, views and compromising historic character and distinctiveness.</p> <p>Some solution needs to be found to this if this policy P17 is to be made effective and sound. One way for example might be to add something on the following lines.</p> <p>3.2 When any developments are proposed that breach the prevailing heights, mass and density in a Conservation Area, this should be subject to additional public consultation before any such developments can be determined.</p>
<p>P18, page 45 Conservation of the historic environment and natural heritage</p>	<p>Not Effective</p>	<p>The policy is not effective because it is inconsistent with national policy in the NPPF which includes heritage assets included on the Local List. It fails to explain how without a Local List, unlisted buildings and heritage assets will be protected and enhanced by new development, and so not able to achieve its aim.</p> <p>The policy recognises the existence of conservation and heritage assets that are not protected under the Planning (Listed Buildings and Conservation Areas) Act 1990 but does not provide for a Local List which is the nationally recognised method for giving them protection. These quotes are from Historic England : https://historicengland.org.uk/listing/what-is-designation/local/local-designations</p> <p><i>“Local lists play an essential role in building and reinforcing a sense of local character and distinctiveness in the historic environment. Local lists can be used to identify significant local heritage assets to support the development of Local Plans. Encouraging the use of local lists will strengthen the role of local heritage assets as a material consideration in the planning process...”</i></p> <p><i>“Moreover Local Lists are usually made very effectively in partnership with local residents through occasional appraisal and/or a nomination system which recognises and takes advantage of local residents’ knowledge, and highlights community value assets. This is invaluable in engaging the local community in the effective conservation of their neighbourhood’s heritage. “</i></p> <p><i>“At its heart, local listing provides an opportunity for communities to have their views on local heritage heard. It recognises that the importance we place on the historic environment extends beyond the confines of the planning system to recognise those community-based values that contribute to our sense of place.</i></p> <p style="text-align: right;">Continued</p> <p>This was recognised in earlier planning policy documents:</p>

<p>P18, page 45 Conservation of the historic environment and natural heritage - continued</p>		<p>* The adopted version of the Elephant & Castle SPD from March 2012 states (4.5.12) that "We (Southwark) will be consulting on our local list in summer 2012. The local list will be established through that process".</p> <p>* The Peckham and Nunhead AAP 4.7.12 (2014) states "... we have also identified buildings which are worthy of being added to the council's local list. The local list identifies buildings and structures with local value which make a positive contribution to character or appearance due to Buildings on the local list in Peckham & Nunhead include" The Fact Box Page 98 refers to the NPPF definition of heritage assets including locally listed buildings, and gives English Heritage good practice guidance on the criteria to use to identify buildings and other objects for the Southwark 'Local List'.</p> <p>* The NSP Options version from October 2014, Draft Policies and area visions states – "DM55 Local list buildings and views: Southwark will have a list of locally important buildings, structures and views that positively contribute to local character and amenity. DM55.1 Development must take these locally important buildings, structures and views into account. Reasons: Locally important buildings and views make a positive contribution to local character and distinctiveness, but they do not benefit from a statutory designation. We will prepare a list of locally important buildings and views, and the criteria for their selection as part of a Heritage SPD."</p> <p>There has been no explanation why the provision for a Local List does not appear in the NSP submission version.</p> <p>This policy could be made sound by including in it two additional points to achieve the following:</p> <ol style="list-style-type: none"> 2. Unlisted buildings of townscape merit and undesignated heritage assets identified and gathered in a Local List and allowed the same protection as listed buildings and/or conservation areas. 3. A community engagement policy developed to encourage local neighbourhoods to develop a local process with an existing community group or a new group to nominate buildings for the Local List.
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Phone: 020 74037130

I do not wish to take part at the oral examination/public hearings.

Policy Number + Topic + page umbers	Soundness test	<u>OBJECTION / TEST OF SOUNDNESS</u>
P14 Tall Buildings	Not Justified	This policy is not justified as it:

		<ul style="list-style-type: none"> • Does not demonstrate how it will measure the increase in the activities and life opportunities on offer for nearby residents. • Is unclear how it can deliver the identified net increase of affordable housing by 799 homes per year. • Gives insufficient consideration to other more effective ways of combatting the housing need without introducing negative effects of tall buildings.
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Suggested changes to P14		<p>To make the policy sound, the NSP should</p> <ul style="list-style-type: none"> • Identify specific sites in the borough where tall buildings are appropriate, these locations to be identified on area vision maps and within site allocations; and indicative heights should be given. These locations and indicative heights should be put out for consultation with local residents and businesses. • Make clear that tall buildings will be considered inappropriate in all other locations. • Clarify all vague or unspecified sections, including <ul style="list-style-type: none"> ○ Policy 2.11 reflecting 3.8.4 of the New Draft London Plan and confirm that the space will be truly publicly accessible, for example through a free viewing gallery. ○ References to “criteria” should make clear exactly what those criteria are. ○ A clearer definition of tall buildings to be provided, as indicated by New Draft London Plan Policy D8 part A.
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OBJECTION TO NSP SUBMISSION VERSION

From

Helen cleary 406 hestia house city walk se1 3es no I would not like to take part at the oral examination (public hearings).

TOPIC Page number, Policy Number + Name OR	Test of Soundness to which objection relates	OBJECTION / TEST OF SOUNDNESS
---	---	--------------------------------------

Site Number + Name		
<p>Annex 8 the New Southwark Plan Preferred Option and the Policies Map associated with the new Southwark Plan Submission Version– boundary of the London Bridge District Town Centre – proposed extension to include Bermondsey Street south of the railway viaduct and the area to the east of Bermondsey St as far as and including Tower Bridge Rd</p>	<p>This extension is not justified</p>	<p>The Bermondsey Street area, which the New Southwark Plan now proposes to include in the London Bridge District Town Centre is largely a conservation area, with low rise historic buildings, with mixed small independent businesses, including cafes and restaurants and residential uses, including social housing.</p> <p>The Bermondsey Street area is excluded from the London Bridge Vision area and indeed, the Bermondsey Street area is explicitly recognised in the London Bridge Vision as being different in character from London Bridge, and for that very reason being a valuable heritage and cultural asset, a draw for visitors and businesses.</p> <p>Nowhere in the New Southwark Plan is the proposed extension justified.</p> <p>In P30Town and Local Centres, the reasons cited for town centre policies identify Elephant & Castle, Walworth Rd, Canada Water, Old Kent Rd and Peckham as having the most capacity for growth. London Bridge is not mentioned.</p> <p>None of the supporting evidence (eg the Retail or High Street studies) identifies the London Bridge District Town centre as a target for significant growth.</p> <p>BSAP is a member organisation of local residents and businesses working together to make our area as good as it can be for people who live here, work here and come to visit. We believe that the proposed inclusion of our low rise historic mixed small business–residential area in the London Bridge district town centre will put its character significantly at risk.</p> <p>Once an area is defined as town centre, developments will be encouraged that include (P30 Reasons again) new shops, education facilities, leisure facilities and entertainment venues. It will, we believe put at risk the mixed residential- small business nature of our area, weakening any argument against non-residential uses or large scale development.</p>



New Southwark Plan- Representations to proposed submission version consultation

On Behalf of Helix International Group
Limited

In relation to land at and adjoining
328 St James's Rd, London SE1 5JX
'Allocation Policy NSP66'

27th February 2018

1 Introduction

- 1.1 Troy Planning + Design (Troy Hayes Planning Limited) has been instructed as agents to prepare representations to the London Borough of Southwark on behalf of our clients Helix International Group Limited, the landowners of 328 St James's Road. This property is included in the proposed Allocation Policy NSP66 'Marlborough Grove and St James's Road'.
- 1.2 The landowners, Helix International Group Limited are in discussions with other surrounding landowners, seeking to work together to bring forward a comprehensive scheme.
- 1.3 Helix International Group Limited, their agents and other landowners would welcome the opportunity to meet and work with Officers from Southwark Council to support the delivery and aspirations of the New Southwark Plan, in particular Allocation Policy NSP66 'Malborough Grove and St James's Road' and the Old Kent Road Area Action Plan.
- 1.4 References made within this document to 'the site' relate to 328 St James's Road and land surrounding this building. As identified in Site Allocation NSP 66 'Marlborough Grove and St James's Road' of the New Southwark – Proposed Submission Version (December 2017).
- 1.5 The contents of these representations does not prejudice any future representation or future negotiation with the London Borough of Southwark (Southwark Council) or any other interested party.
- 1.6 We wish to attend and appear at examination for all matters raised in this representation so that the Inspector in order to express through further written submissions and verbally the points key matters we set out in these representations.

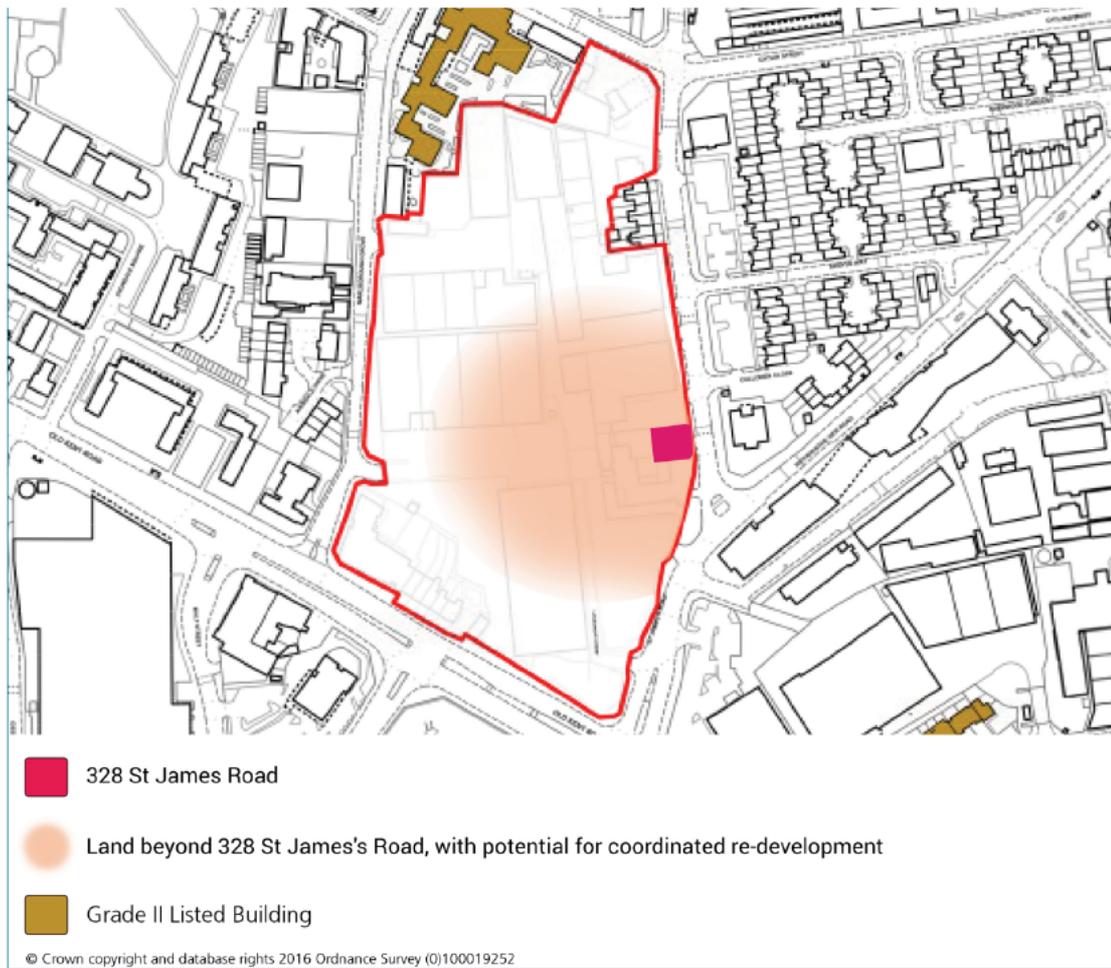


Figure 1 – 328 St James’s Road and adjoining land within the context of New Southwark Plan site allocation NSP66 ‘Marlborough Grove and St James’s Road.

2 Summary of Representations

- 2.1 Representations are made primarily in relation to the Old Kent Road Area Vision, Old Kent Road Allocation Policy NSP 66 'Marlborough Grove and St James's Road', P26 'Office and business development' and P54 'Protection of amenity'.
- 2.2 In summary, we support the Old Kent Road Area Vision and Allocation Policy SP66 'Marlborough Grove and St James's Road'. The allocation of the site for mixed-use development provides an important opportunity to provide new homes in a way that compliments and intensifies existing commercial activity at the site and within the Old Kent Road area.
- 2.3 Representations are also made in relation to those policies which are likely to have the greatest significance to the future development of Allocation Policy NSP66, including 328 St James's Road, and neighbouring properties. Concern is expressed in relation to how Allocation Policy NSP 66 relates to other policies within the New Southwark Plan, principally P26 'Office and business development' and P56 'Protection of amenity'.

3 Representation to the New Southwark Plan proposed submission version consultation

- 3.1 The allocation of 328 St James's Road, and neighbouring properties, as identified in Old Kent Road Allocation Policy NSP 66 'Marlborough Grove and St James's Road', is welcomed and supported. The allocation of the site acknowledges the suitability of the site to provide the necessary development and the willingness of the landowners to deliver the site.
- 3.2 The inclusion of the site in the proposed submission version of the New Southwark Plan demonstrates that the site is considered suitable and deliverable and in conformity with other aspects and policies of the submission version of the plan. Commentary and observations are offered in relation to specific policies and their soundness.

Old Kent Road Area Vision

- 3.3 The overarching principle of the vision is welcomed and supported. The aspiration to provide new homes, jobs and a revitalised high street and town centre in a sustainable and sensitive manner with regard to existing residents and companies is particularly supported.
- 3.4 The site, 328 St James's Road, offers an opportunity to contribute towards realising the aspirations, aims and objectives of the New Southwark Plan, including the Vision for the Old Kent Road Area. The opportunity of the site is represented in its potential for high quality mixed use redevelopment.

Old Kent Road Allocation Policy NSP 66 'Marlborough Grove and St James's Road'

- 3.5 In relation to Allocation Policy NSP 66, it is unclear how the promotion of mixed-use development will be deemed compatible with the desire to protect the existing function of commercial activities which surround the site. Surrounding land broadly accommodated industrial and employment uses. There is concern that the delivery of allocation policy NSP 66 could be hindered where new and existing uses conflict.

- 3.6 Where conflict with Policy P54 'Protection of amenity' arises, or is likely to arise, development proposals may be refused and the aspirations of Allocation Policy NSP 66 compromised. Conversely the introduction of new uses, such as residential and office uses, could result in the interference with established businesses. It is therefore recommended that reference is made to the potential conflict within the body of the text of Allocation Policy NSP66.
- 3.7 It will be vital that a pragmatic approach to redevelopment and phasing is fostered. Any re-wording should acknowledge that measures to mitigate against potential short and long term amenity concerns will be required or other mechanisms agreed to help deliver development and protect existing businesses and enterprise.
- 3.8 328 St James's Road has lawful use as an office (B1a Use Class) as confirmed by a Certificate of Lawful Development (see London Borough of Southwark reference number '12/AP/0335'). This use remains different to the uses of surrounding buildings.
- 3.9 Policy P26 'Office and business development' relates to land that is identified as being located within an opportunity area. In the case of 328 St James's Road its office use could facilitate development that introduces a mix of uses, including residential, provided it meets the criteria of Policy P26. It is however not clear how the development of 328 St James's Road could take place with land that immediately adjoins the site. Specifically, where mixed-use development as specified by Allocation Policy NSP 66 is proposed.
- 3.10 The site identified by Policy NSP 66 forms an area with multiple uses. These range from live-work, industrial, light manufacturing, office, community and sui generis uses. The complexity is further amplified by a large number of different building types and fragmented ownership. The policy wording and supporting text of Policy P26 should be amended to clarify that when development proposals which incorporate multiple existing commercial uses what specific mix of commercial uses should be provided as part of any redevelopment.
- 3.11 At present Policy P26 shows a preference for 'B Use Classes', listing a wide range of largely incompatible employment uses. It is unclear whether the predominant existing lawful use would be expected to be provided on site as part of any redevelopment or if the same mix of uses would be expected to be delivered on-

site. The New Southwark Plan must make this position clear to demonstrate deliverability and soundness of the plan.

- 3.12 It is strongly advised that emphasis within Allocation Policy NSP66 and the Old Kent Road Area Vision is made to acknowledge that the site allocation policy expresses support for sites being brought forward together concurrently by multiple land owners.

Old Kent Road Area Action Plan

- 3.13 The preparation of more detailed plans associated with the preparation of the Old Kent Road Area Action Plan are acknowledged. We will prepare representations to this as part of the separate public consultation for the Old Kent Road Area Action Plan.

Part A: Contact details

If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in the next section.

1: Personal details

Title:	<input type="text"/>
First Name:	<input type="text"/>
Last Name:	<input type="text"/>
Organisation (Where relevant):	<input type="text"/>
Position (Where relevant):	<input type="text"/>
Address line 1:	<input type="text"/>
Address line 2:	<input type="text"/>
Address line 3:	<input type="text"/>
Postcode:	<input type="text"/>
Email:	<input type="text"/>
Telephone:	<input type="text"/>

2. Agents details (if applicable)

Title:	<input type="text"/>
First Name:	<input type="text"/>
Last Name:	<input type="text"/>
Organisation:	<input type="text" value="Troy Pannings + Design"/>
Position:	<input type="text" value="Senior Partner"/>
Address line 1:	<input type="text" value="Aldwych House"/>
Address line 2:	<input type="text" value="71-91 Aldwych"/>
Address line 3:	<input type="text" value="London"/>
Postcode:	<input type="text" value="WC2B 4HN"/>
Email:	<input type="text"/>
Telephone:	<input type="text"/>

Part B: Representation

Please select **one** policy per form to select which part of the plan you wish to make a representation on. The one option you select should be the item you should be commenting on in the subsequent boxes below. If you want to comment on more than one part of the plan, please submit part B again.

1. To which part of the New Southwark Plan does this representation relate to?

Implementation policy:	<input type="text"/>
Development Management policy:	<input type="text" value="P26: P54"/>
Area Vision:	<input type="text" value="Old Kent Road Area Vision"/>
Site Allocation:	<input type="text" value="NSP66"/>
Proposal Map:	<input type="text"/>
Other:	<input type="text"/>

2. Do you consider the document to be legally compliant in accordance with the Town and Country Planning (Local Planning) (England) Amendment Regulations 2012?

- Yes
 No

3. Do you consider that the New Southwark Plan is Sound?

- Yes
 No

4. Do you consider that the New Southwark Plan is unsound because it is not?

- Effective
 Justified
 Consistent with national policy and the London Plan
 Positively prepared

5. Please give details of why you consider the New Southwark Plan not to be legally compliant or unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the New Southwark Plan, please also use this box to set out your comments.

Please see accompanying representation.

6. Please set out what change(s) you consider necessary to make the New Southwark Plan legally compliant or sound. You will need to say why this change will make the New Southwark Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible

Please see accompanying representation

Part D: Public Examination (required)

If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral examination

Yes, I wish to participate at the oral examination

It is vital that your contact details are submitted correctly to ensure that you can be contacted if you wish to participate in the public examination. Please tick the checkbox to confirm that the details which have been provided are correct.

I confirm that all details provided are correct

Part E: Equalities monitoring

Equality and engagement with our diverse communities is central to the day to day delivery of our Southwark Council Services. To deliver on our commitment to a fairer future, we need to collect some equality information about you. This also forms part of our legal responsibilities under the Public Sector Equality Duty of the Equality Act (2010).

We would therefore appreciate it if you could spend a few minutes filling in the details below. This information helps us to measure and analyse how well we are engaging with all those who live and work in the borough. Please do remember that whilst this information is very useful for our work, you are not obliged to answer or complete any or all of this information. Southwark Council is the data controller for the purposes of the Data Protection act.

Age:

- Under 16
- 16-17
- 18-24
- 25-34
- 35-44
- 45-54
- 55-64
- 65-74
- 75-84
- 85-94
- 95+

Sex:

- Male Female

Disability and health:

Are your day-to-day activities limited because of a health problem or disability which has lasted or is expected to last, at least 12 months?

- Yes, limited a little
- Yes, limited a lot
- No, not limited

Please tick the box or boxes below that best describe the nature of your impairments:

- Hearing/Vision (e.g deaf or hard of hearing; blind or partial sight)
- Physical/mobility
- Mental health (lasting more than a year e.g severe depression, schizophrenia etc)
- Learning difficulties (e,g dyslexia, dyspraxia etc.)
- Memory Problems (e.g Alzheimer's etc.)

Please use this box below if you wish to share your impairment:

Nationality:

Ethnicity:

Preferred language:

English

Other

If Other, Please specify:

Religion or belief:

Christian

Sikh

Hindu

Muslim

Jewish

Buddhist

No religion

Other

Marriage or civil partnership:

Married

Divorced

Widowed

Separated

Registered in a civil partnership

Formally in a civil partnership that is now legally dissolved

Surviving member of a civil partnership

Never married or in a civil partnership

Gender reassignment

Is your gender identity the same as the gender you were assigned at birth?

Yes

No

Pregnancy or maternity

Are you currently pregnant and/or on maternity leave?

Yes

No

Sexual orientation

Heterosexual/Straight

Lesbian/ Gay woman

Gay man

Bi-sexual

Please let us know which part of Southwark you live in

Bermondsey and Rotherhithe

Borough Bankside and Walworth

Camberwell

Dulwich

Peckham and Nunhead



Jones Lang LaSalle Ltd
30 Warwick Street London W1B 5NH

www.jll.co.uk

New Southwark Plan
Planning Policy
Chief Executive's Department
London
SE1P 5EX

Your ref
Our ref
Direct line

New Southwark Local
Plan
MoJ/Southwark

planningpolicy@southwark.gov.uk

By email only

27 February 2018

Dear Sirs,

New Southwark Local Plan – Proposed Submission Version

**Representations by Her Majesty's Courts and Tribunals Services in response to the New Southwark Local Plan – Proposed Submission Version
Camberwell Green Magistrates' Court**

On behalf of our client, Her Majesty's Court and Tribunals Services ('HMCTS'), we write to provide Representations on London Borough of Southwark's ('LBS') New Southwark Plan – Proposed Submission Version.

As your Officers will be aware, HMCTS is in the process of reforming courts and tribunals in England and Wales. Reform is intended to reduce surplus capacity by closing those courts and tribunals which are underused/unused or that are unsuitable for the services HMCTS need to provide from them. On 08 February 2017, following careful consideration of consultation responses, the Government announced the decision to close Camberwell Green Magistrates' Court.

This Representation seeks to:

- 1) Propose changes to Policy P44 (Community Uses); and,
- 2) Propose changes to site allocation NSP33: Camberwell Green Magistrates' Court.

Representations based on soundness

At this stage of the Local Plan process, your Council is asking for feedback on matters of soundness and legal compliance with the Town and Country Planning (Local Planning) (England) Amendment Regulations 2012.

Paragraph 182, of the National Planning Policy Framework (NPPF) states that:

“A local planning authority should submit a plan for examination which it considers is “sound” – namely that it is:

- ***Positively prepared*** – *the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;*
- ***Justified*** – *the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;*
- ***Effective*** – *the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and*
- ***Consistent with national policy*** – *the plan should enable the delivery of sustainable development in accordance with the policies in the Framework”.*

We propose two areas where we consider that the Proposed Submission New Southwark Local Plan is unsound, based on the NPPF assessment identified above.

1) Appropriateness of Proposed Policy P44 (Community Uses)

We recognise that your Council is concerned that finding new sites for community facilities can sometimes be difficult; however, overly restrictive local planning policies can limit the opportunity of releasing public sector land for new housing. Releasing surplus public assets for alternative uses, particularly residential uses, will support the government’s ambitions to increase housing supply, particularly in areas of high housing demand, by taking advantage of opportunities for development on brownfield land.

We are concerned that your current proposed policy P44 does not allow for sufficient flexibility in the context of:

- i. Local, regional and national housing need and the opportunity that the release of surplus public sector land has in terms of addressing this need; and,
- ii. Local, regional or national community infrastructure improvement/ modernisation strategies, such as HMCTS’s Court Estate Reform Programme.

We consider that the plan is unsound in this regard as it is not the most appropriate strategy when considered against reasonable alternatives. We suggest that the following changes to Policy 44 (Community Uses):

“1. New community facilities (Use Class D1, D2 and Sui Generis) will be permitted where provision is made for the facility to be used by all members of the community.

2. Development should retain community facilities, *unless*:

- i. In exceptional circumstances there may no longer be a local need for a facility. This must be it can be demonstrated that there is no longer a need for a facility, through evidence of a suitable marketing process for continuous period of at least two years, immediately prior to any planning application, for both its existing condition and as an opportunity for an improved community facility; or,*
- ii. the loss is part of a wider public service transformation plan which requires investment in modern, fit for purpose infrastructure and facilities in order to meet future population needs or to sustain and improve services.*

2) Site Allocation NSP33: Camberwell Green Magistrates' Court

This Representation also seeks to amend the site allocation for Camberwell Green Magistrates' Court (Site Allocation NSP33). The Local Plan Review proposes a potential site allocation for Camberwell Green Magistrates' Court for comprehensive mixed-use redevelopment. As part of this, the site must "*provide employment floorspace (B1, D class) of at least the amount currently on site*".

We support the proposed re-use of this site for residential use. However, we consider that the expectation that the same amount of employment floorspace as is on the current site is not appropriate for this site, and propose that the site allocation is amended for residential development with ground floor employment uses of between 1,000-2,000 sqm.

Lost opportunity for delivering housing and affordable housing

Adherence to this draft policy in its current format will have a dramatic impact in reducing both the overall amount of housing that can be delivered on site (as employment floorspace will replace the potential to provide additional housing numbers) and the proportion of affordable housing (as the scheme viability will demonstrate that a much smaller proportion of affordable housing can be supported by replacing residential with a large amount of lower value employment uses). Initial feasibility studies on this site estimate that if the site allocation is adopted as drafted to "*provide employment floorspace (B1, D class) of at least the amount currently on site*" less than 50 residential units could be delivered, compared to up to 150 residential units with a more appropriate provision of c.10,000 sqft of employment floorspace

Financial viability

We question the financial viability of such a significant quantum of employment floorspace in this location and believe that there is a strong possibility that a large proportion of the

floorspace could remain unoccupied for a long period after construction if planning policy dictates such a provision.

We have undertaken research to support this position by obtaining sample data using the CoStar Realty Information Database in February 2018. The search includes all B1 office properties on the CoStar database within 1 mile of the subject property. The results show 143 properties containing a total of 1,128,467 sq ft of B1 office floorspace.

The vast majority of the 1 million sq ft is contained within small buildings or makes up a small proportion of a larger mixed-use development. 112 of the 143 properties have less than 10,000 sq ft of employment floorspace. Only 15 of the buildings within a 1 mile radius of the property contain greater than 20,000 sq ft of B1 floorspace and these properties make up approximately half of the overall floorspace totalling 558,812 sq ft. We have analysed data from these 15 office properties to compare against the subject site.

These buildings are situated in prominent, visible positions on major roads and in close proximity to major public transport interchanges i.e. London Underground stations or mainline rail stations. The average weighted walking distance of the 558,812 sq ft to the nearest public transport interchange is circa. 0.35 miles (circa. 6.6 minutes' walk). The unweighted averages of this dataset are circa. 0.40 miles (circa. 7.7 minutes' walk). The subject site is situated 0.7 miles (15 minutes' walk) from the nearest public transport interchange (Denmark Hill station) and is not located in a prominent or visible position, as it sits two streets back from both Camberwell Road and Peckham Road.

Only two buildings within 1 mile of the subject property contain over 38,000 sq ft of floorspace and both are located less than a two minute walk from Oval London Underground station, in a typical location for an office building. Locating a building of this size in a location such as the Camberwell Green Magistrates' Court site would represent a significant commercial risk that a developer or investor would likely be very reluctant to pursue.

Summary

Camberwell Green Magistrates' Court can contribute capacity for housing numbers on previously developed land. This is consistent with the Core Principles of the NPPF and also Paragraph 111 of the NPPF which seeks to encourage the effective re-use of brownfield land. This should remain a priority within the emerging Local Plan in order to meet Southwark's Objectively Assessed Housing Needs in its entirety.

We consider the Proposed Submission New Southwark Local Plan is unsound in this regard, as it is not justified on the most appropriate strategy when based on proportionate evidence, as is required by NPPF policy 182. Therefore, we request that the site allocation is amended to

remove the requirement that development must “*provide employment floorspace (B1, D Class) of at least the amount currently on site*”.

If you require any further correspondence in relation to these representations please do not hesitate to contact [REDACTED] of these offices.

Yours faithfully,

[REDACTED]

[REDACTED]

[REDACTED]

For JLL on behalf of the MoJ

Cc

[REDACTED]

[REDACTED]

[REDACTED]

Encl. Annex 1: CoStar Realty Information Database – B1 Office Properties within 1 mile of the subject Property

Annex 1

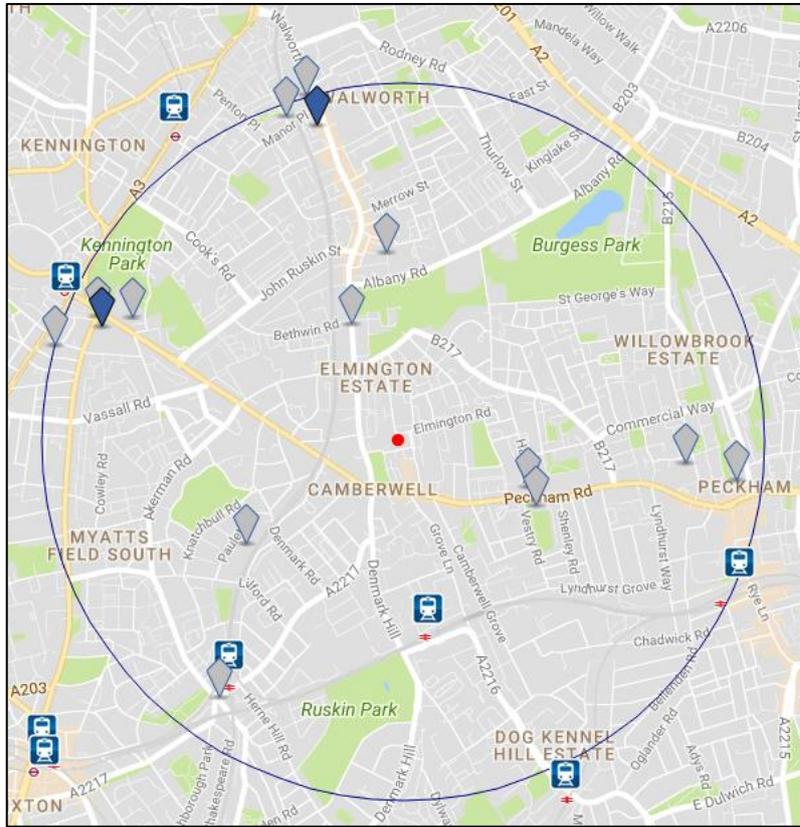
CoStar Realty Information Database – B1 Office Properties within 1 mile of the Subject Property

B1 Office Supply within 1 mile of the Subject Property – Buildings >20,000 sq ft

Building Name	Building Address	City	Closest Transit Stop	Closest Transit Stop Dist (miles)	Closest Transit Stop Walk Time (min)	Rentable Building Area	Floorspace Weighting	Weighted Transit Stop Dist (miles)	Weighted Transit Stop Walk Time (min)
Canterbury Court	1-3 Brixton Rd	London	Oval Underground Station	0.1	2	104,109	18.6%	0.0186	0.3726
Offley Works	44-46 Offley Rd	London	Oval Underground Station	0.1	2	61,901	11.1%	0.0111	0.2215
	30-39 Peckham Rd	London	Peckham Rye	0.8	15	37,600	6.7%	0.0538	1.0093
Manor House	224-236 Walworth Rd	London	Kennington Underground Station	0.4	8	36,000	6.4%	0.0258	0.5154
Town Hall	Peckham Rd	London	Denmark Hill	0.8	16	35,056	6.3%	0.0502	1.0037
Chester House	1-3 Brixton Rd	London	Oval Underground Station	0.1	2	35,000	6.3%	0.0063	0.1253
Bradenham Block	Aylesbury Estate	London	Kennington Underground Station	0.65	13	34,599	6.2%	0.0402	0.8049
Peckham Library	Peckham Hill St	London	Peckham Rye	0.4	7	34,301	6.1%	0.0246	0.4297
Chatain House	182-202 Walworth Rd	London	Elephant & Castle	0.3	5	32,158	5.8%	0.0173	0.2877
Lincoln House	1-3 Brixton Rd	London	Oval Underground Station	0.1	2	29,321	5.2%	0.0052	0.1049
Shakespeare Commercial Centre	245A Colharbour Ln	London	Loughborough Junction	0.1	1	28,828	5.2%	0.0052	0.0516
Chartwell Building	61-65 Paulet Rd	London	Loughborough Junction	0.5	9	24,221	4.3%	0.0217	0.3901
	131-139 Camberwell Rd	London	Kennington Underground Station	0.7	14	23,368	4.2%	0.0293	0.5854
	111-123 Crampton St	London	Kennington Underground Station	0.3	6	22,041	3.9%	0.0118	0.2367
Sumner House	Sumner Rd	London	Peckham Rye	0.7	13	20,309	3.6%	0.0254	0.4725
				Average distance to transport (miles)	Average walking time to transport (min)	Total Supply (sq ft)		Average weighted distance to transport (miles)	Average weighted walking time to transport (min)
				0.40	7.67	558,812		0.35	6.61

Source: CoStar Realty Information Database

B1 Office Supply within 1 mile of the Subject Property – Map Showing Buildings >20,000 sq ft



Source: CoStar Realty Information Database

B1 Office Supply within 1 mile of the Subject Property – All Buildings with B1 Floorspace

Building Name	Building Address	City	Rentable Building Area	Typical Floor Size	Year Built	Year Renovated
Canterbury Court	1-3 Brixton Rd	London	104,109	22,922	1896	2010
Offley Works	44-46 Offley Rd	London	61,901	15,475	1899	2015
	30-39 Peckham Rd	London	37,600	9,400	1790	
Manor House	224-236 Walworth Rd	London	36,000	6,162	1974	
Town Hall	Peckham Rd	London	35,056	7,011	1911	
Chester House	1-3 Brixton Rd	London	35,000	10,000	1988	2011
Bradenham Block	Aylesbury Estate	London	34,599	11,533	1971	
Peckham Library	Peckham Hill St	London	34,301	8,575	2000	
Chatain House	182-202 Walworth Rd	London	32,158	15,281	1984	
Lincoln House	1-3 Brixton Rd	London	29,321	5,864	1888	2010
Shakespeare Commercial Centre	245A Coldharbour Ln	London	28,828	7,207	1905	1980
Chartwell Building	61-65 Paulet Rd	London	24,221	7,905	1979	
	131-139 Camberwell Rd	London	23,368	4,673	1810	
	111-123 Crampton St	London	22,041	7,347	1963	
Sumner House	Sumner Rd	London	20,309	5,077		
	4 Windsor Walk	London	18,979	3,163	1954	
	20-26 Peckham High St	London	18,454	7,778	1980	
Cranmer House	39 Brixton Rd	London	18,042	3,608	1913	
Benefits Agency	Cavaye Pl	London	17,641	8,820	1923	
	15 Deynsford Rd	London	16,468	1,829	1971	
Chaplin Centre	Thurlow St	London	16,287	8,143	1968	
	42 Braganza St	London	16,177	8,088	1934	
	110-110A Warner Rd	London	16,025	5,341		
	32-36 Rye Ln	London	15,824	2,884	1965	
	64-68 Camberwell Church St	London	13,616	3,404	1905	
	29 Peckham Rd	London	13,380	3,345	1905	2009
	34 Love Walk	London	13,094	2,619	1975	
	1-6 Camberwell Green	London	12,565	4,188	1993	
	94-104 Denmark HI	London	10,601	5,300	1926	1971
	94-104 Denmark HI	London	10,601	5,300	1831	
	301 Camberwell New Rd	London	10,092	5,046	1961	
	285-287 Albany Rd	London	9,514	9,514		
	5 Browning St	London	8,543	2,847	1861	
Marina House	63-65 Denmark HI	London	8,440	2,100	1996	
Old Public Baths	Wells Way	London	8,232	2,744	1902	
Fabrica Development	166-176 Camberwell Rd	London	7,944	7,944	2017	
	27-33 Camberwell Rd	London	7,661	1,915	1929	
Sojourner Truth Centre	161 Sumner Rd	London	6,930	2,310	1851	
	11 Mowll St	London	5,709	2,854	1898	
	66 Offley Rd	London	5,636	1,127	1857	
	31 Amelia St	London	5,592	2,796	1992	
East House	Peckham Rd	London	5,552	1,388		
Harris Street Neighbourhood Office	Harris St	London	5,500	5,500	1988	
Marble House	20 Grosvenor Ter	London	5,466	5,466	2003	
	219-223 Coldharbour Ln	London	5,407	2,703	1954	
	170 Sumner Rd	London	5,326	2,663	1992	
	230-234 Brixton Rd	London	5,286	2,643	1953	
	1 Bethwin Rd	London	5,198	2,599	2004	
	161 Denmark HI	London	5,162	2,581	1986	
Neighbourhood Housing Office	Stopford Rd	London	5,138	5,138	1990	
	60 Chadwick Rd	London	5,131	4,916		
Longfield Hall	50 Knatchbull Rd	London	4,553	2,276	1889	
Adams House	7 Badsworth Rd	London	4,488	4,488	2000	
	15 Cranmer Rd	London	4,394	2,197		
	39 Grove Ln	London	4,270	2,135		
Valmar House	Valmar Rd	London	4,263	2,040	1963	
	43-45 Coldharbour Ln	London	4,067	1,355	1969	
	Artichoke Pl	London	3,968	1,984	1890	
	1-27 Sumner Rd	London	3,835	3,835		
	88-90 Camberwell Rd	London	3,789	947	1826	
	37-39 Peckham High St	London	3,758	939	1835	
	82-84 Camberwell Church St	London	3,519	916	1920	
	2 Deynsford Rd	London	3,500	1,754	2003	
	96-98 Albany Rd	London	3,473	1,736	1886	
	19 Frederick Cres	London	3,466	3,466	1990	
	146-154 Wells Way	London	3,407	1,135	1983	
	9 Harnsworth St	London	3,403	1,701		2008
	2 Camberwell Church St	London	3,388	623		
	47-48 Addington Sq	London	3,360	1,120	1840	

Lord Denning Court	Grumant Rd	London	3,340	835	1998	
Post Office	25 Denmark HI	London	3,267	2,685	1950	
	215-217 Coldharbour Ln	London	3,255	1,627	1981	
	5 Windsor Walk	London	3,238	1,619	1866	1980
	Denmark Rd	London	3,141	1,570	1954	
	52 Camberwell Green	London	3,105	3,105	1993	
	146-150 Camberwell Rd	London	3,094	1,031	1886	
	18 Camberwell Church St	London	3,056	611	1877	
	121-123 Camberwell Rd	London	2,960	1,207	1750	
Langport House	Overton Rd	London	2,923	2,923	1973	2000
	66-68 Bolton Cres	London	2,880	1,440	1930	
	45-47 Caldecot Rd	London	2,842	1,421	1937	
	180-182A Brixton Rd	London	2,806	1,403	1920	
Chartwell Business Park	61-65 Paulet Rd	London	2,750	2,750	1983	
	188 Warham St	London	2,739	2,177	1969	
Rose	78 Edmund St	London	2,738	1,369	1920	
	10 Kennington Park PI	London	2,726	908	1750	
Neighbourhood Housing Office	Foxley Sq	London	2,658	2,658		
	283 Camberwell New Rd	London	2,633	1,512		
	5 Camberwell Church St	London	2,586	605	1913	
Day Nursery	Sultan St	London	2,561	2,561	1961	
East Brixton Neighbourhood Housing O	Loughborough Estate	London	2,503	2,503		
	53 Addington Sq	London	2,483	827		
	27 Camberwell Green	London	2,424	404		
	167 Peckham Hill St	London	2,372	2,372		
	61-63 Peckham High St	London	2,321	580		
Clarson House	Camberwell New Rd	London	2,269	2,269	2012	
	23 Camberwell Green	London	2,239	447		
	18-18a Brixton Rd	London	2,220	2,220	1823	
	Peckham Grove	London	2,182	2,182		
Herbert Morrison House	195 Walworth Rd	London	2,182	1,089		
	121 Grove Ln	London	2,138	713		
	11-13 Dartford St	London	2,134	2,134		
Lord Lyndhurst	53 Lyndhurst Way	London	2,089	696	1921	
	47-53 Dawes St	London	2,069	1,241		
	80 Camberwell Rd	London	1,962	348	1810	
	79 Denmark HI	London	1,915	383	1888	
	99 Coldharbour Ln	London	1,906	476		
	305-307 Camberwell Rd	London	1,880	940		
	8 Camberwell Green	London	1,838	459		
	62 Camberwell Rd	London	1,812	453	1815	
	97 Peckham High St	London	1,770	442		
Units 8-9	36-38 Peckham Rd	London	1,760			
	14 Badsworth Rd	London	1,753	1,314		
	352-354 Camberwell New Rd	London	1,732	577		
Iveagh House	Loughborough Rd	London	1,609	804		
	147 Brixton Rd	London	1,405	468		
	74 Camberwell Church St	London	1,400	389	1900	
	76 Elsted St	London	1,342	427		
	41 Peckham High St	London	1,188	594		
	1 Camberwell Grove	London	1,153	1,153		
	231 Camberwell New Rd	London	1,133	283	1863	
	47 Camberwell Grove	London	1,090	606		
	9A Amelia St	London	1,025	1,011		
	40-41 Foxley Sq	London	972	971		
	226 Coldharbour Ln	London	955	477		
	9 Graces Mews	London	940	940		
	81 Camberwell Church St	London	824	824		
	77 Denmark HI	London	803	401		
	102-102A Grove Ln	London	793	793		
	1 Harbour Rd	London	790	790	2011	
Richmond House	1-2 East St	London	780	780	1963	
	203 Coldharbour Ln	London	727	363		
	Thurlow St	London	695	695		
	24 Shurland Gdns	London	651	325		
	276C Camberwell Rd	London	620	620		
Ashton House	Chrissell Rd	London	608	608		
	115 Camberwell Rd	London	538	269		
	186 Bellenden Rd	London	524	524	1901	
	253 Camberwell New Rd	London	509	254	1842	
	117-17 Camberwell Rd	London	482	482		
	91A Brixton Rd	London	436	436		
	170A Denmark HI	London	298	298		
			Total Supply (sq ft)			
			1,128,467			

Source: CoStar Realty Information Database

From: [REDACTED]
Sent: 26 January 2018 15:15
To: planningpolicy
Subject: 4011 New Southwark Plan

For the Attention of: Planning Policy Team – Southwark Council

Consultation: New Southwark Plan

Dear Sir/Madam,

Thank you for your email dated 14 November 2017, advising Highways England of the above consultation.

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

In the case of the area covered by the New Southwark Plan, there is no SRN. After reviewing the New Southwark Plan, it is evident that there will be no material impacts on the SRN as a result of this document. Therefore, we have no specific comments to make at this time.

If you have any queries with our response, please do not hesitate to contact us.

[REDACTED]
[REDACTED] **Assistant Spatial Planning Manager**

Highways England | 1st Floor, Bridge House | Walnut Tree Close | Guildford | GU1 4LZ

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



Highways England Company Limited | Registered Office: Bridge House, 1 Walnut Tree Close, Guildford GU1 4LZ | Registered in England and Wales No. 9346363

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Highways England Company Limited | General enquiries: [REDACTED] **| National Traffic Operations Centre, 3 Ridgeway, Quinton Business Park, Birmingham B32 1AF |**
<https://www.gov.uk/government/organisations/highways-england> [REDACTED]

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Consider the environment. Please don't print this e-mail unless you really need to.

Our ref: HD/P5029/36

Planning Policy
London Borough of Southwark
5th Floor Hub 2
PO Box 64529
London SE1P 5LX

By email: planningpolicy@southwark.gov.uk

27 February 2018

Dear Sir/Madam

New Southwark Plan – Consultation on Proposed Submission Draft

Thank you for the opportunity to comment on the above consultation. As the Government's adviser on the historic environment, Historic England is keen to ensure that the conservation and enhancement of the historic environment is taken fully into account at all stages and levels of the Local Plan process.

The National Planning Policy Framework (NPPF) identifies the historic environment as part of the environmental dimension of sustainable development (para 7) and includes it as one of the twelve core planning principles (para 17). The NPPF requires an active, positive approach to the historic environment within Local Plans (paras 126 and 157) and recognises the value that this can bring to inspire high quality design in new development (paras 58 to 61). The following comments are therefore made in the context of the principles contained in the NPPF and the accompanying Planning Practice Guidance (PPG). We would also refer you to previous Historic England responses to consultations relating to the New Southwark Plan, much of the contents of which continues to be relevant.

We welcome and support the Borough Council's overarching objectives within the Plan, including those of revitalising existing neighbourhoods and town centres. We particularly welcome the commitment to enhance local distinctiveness and encourage heritage-led regeneration in SP2. We would suggest that the text here could go further in supporting development that conserves and enhances the historic environment by making clear that an understanding of the significance of the historic environment should guide the design of new proposals. The following could simply be added to the first sentence in clause 4: '*and*

██████████

██████████

ensuring that new development is informed by an understanding of the heritage significance of the existing built environment’.

We also welcome the reference to distinctive town centres in policy SP4, but would point out that some text appears to be missing from the end of clause 3.

Notwithstanding these references to local character in the strategic policies, we consider that there are a number of important gaps in terms of the heritage requirements as set out in the NPPF. Our comments on these are set out below, as well as comments and suggestions in relation to individual development management policies and the Area Visions and Site Allocations. We consider that the Council should address these issues in order to ensure that the Plan is in conformity with the NPPF.

NPPF requirements

Historic England has produced a number of advice notes to help in the interpretation and application of national policy and guidance in this area which we would commend to you in the development of the draft Local Plan – in particular *Good Practice Advice Note 1 – The Historic Environment in Local Plans* (<https://historicengland.org.uk/images-books/publications/gpa1-historic-environment-local-plans/>). This identifies a number of key heritage requirements in the NPPF for Local Plans.

The NPPF specifies that an up to date and relevant evidence base should be used in the preparation of a Local Plan, and the document referred to above sets out a list of potential sources of evidence that can be used for this purpose. However, while we are aware that a number of suitable documents exist, such as conservation management plans and characterisation studies, we can see very little in the way of a link between these and the contents of the Plan. At this stage of the Local Plan process, we would expect to see a direct relationship between the underlying evidence base and how this has been used to guide and develop the objectives, policies and direction of the Plan. This point also relates to development proposed in a number of the site allocations included in the Plan – please see comments later in this response. We recommend that as a minimum, appropriate references to conservation area appraisals and management plans as well as characterisation studies are included in relevant sections of the Plan – for example, in the area visions and individual site allocations policies.

As indicated above, the NPPF also requires a positive strategy for conserving and enhancing the historic environment. We note and welcome the range of development management policies relating to various elements of the historic environment within the Plan (please see



comments in relation to a number of these below). However, we consider that this represents a reactive approach to the management of the historic environment and that more could be done on the part of the Council to establish a positive strategy. This could take a number of forms (in addition to making more explicit and strengthening the relationship between the evidence base and policy as indicated above): establishing a local list of heritage assets in the borough, a commitment to seek out solutions to Heritage at Risk and community engagement initiatives with heritage are just some of the ways in which a positive strategy can be expressed.

Development management policies

We offer some comments in relation policy P14 *Tall Buildings* and to a number of site allocations policies below. We note that indicative capacities for the site allocations have been removed in this iteration of the Plan, and we consider this to be helpful in terms of being able to ensure that detailed proposals for each site are not constrained by overly prescriptive policy and therefore better able to respond to context. However, this also means that it becomes increasingly important to ensure that the text in relevant supporting policies is robust and able to deliver the overarching objectives of the Plan – including the conservation and enhancement of the historic environment.

To help address this, we therefore recommend some amendments to policies P11 (*Design of Places*) and P12 (*Design Quality*).

P11, 1.2 'Better reveal local distinctiveness and architectural character, ***and conserve and enhance the significance of the local historic environment***'.

P12, 1.2 'Innovative design solutions that ***address*** the site's historic context, topography and constraints, ***including the significance of relevant heritage assets***

Policy P14 on Tall Buildings gives us some cause for concern. As set out in our previous consultation responses to the Plan, we remain concerned that this does not constitute a strategic or plan-led approach to development (as per paragraph 157 of the NPPF) that may have significant impacts on local character. Tall buildings, when appropriately sited and designed, can be a highly effective way of delivering development at high densities. However, such development needs to be properly plan-led, having been tested against the effects on relevant heritage assets and local character. This approach should be underpinned by an appropriately rigorous evidence base, including a borough-wide tall buildings study. This would help provide a local and contextually based definition of what is meant by tall, as well as understanding potential locations which are (and are not) suitable for such buildings.



Identifying potential locations for tall buildings would also align with emerging policy in the draft London Plan. We would encourage the use of Historic England's advice on tall buildings in developing relevant plan content (<https://www.historicengland.org.uk/images-books/publications/tall-buildings-advice-note-4/>). Please also note that this document (published Dec 2015) replaced the previous tall buildings document published in partnership with CABE.

Beyond the concerns of lack of height definition and the identification of locations, we consider that the policy as set out is potentially open to interpretation in some further respects. Clause 2.6 indicates that new tall buildings must 'avoid unacceptable harm to the significance of designated heritage assets'. The NPPF is clear that the avoidance of harm to heritage assets through new development is the starting point for planning policy. Notwithstanding related policies in the Plan covering design principles and quality, we consider that the existing text overlooks the staged approach set out by the NPPF. We therefore recommend that P14 2.4 be amended to

'Conserve and enhance the significance of designated heritage assets and their settings. Where proposals will have an impact on significance, the tests set out in paragraphs 132-136 in the NPPF will be applied'.

As indicated in the Historic England advice note, we further consider that the policy should contain text that will enable the Council to address issues created by existing tall buildings as part of redevelopment proposals. Offering a mechanism for promoters to demonstrate they have properly explored other ways of delivering high-density development would also be helpful. This could be achieved by adding a new paragraph to the supporting text on page 43:

Evidence shows that tall buildings are not the only way of delivering high density new development. Proposals for tall buildings should be accompanied by adequate supporting information, including a visual representation, which demonstrate likely impacts and that alternative built forms to deliver similar density of use have been explored for the site in question. The presence of an existing tall building on the site will not in itself be regarded as adequate justification for its replacement with another tall building.

We consider the inclusion of the phrase 'unjustifiable harm' in para 1 of policy P16 (Listed Buildings and Structures) in the same way as 'unacceptable harm' in P14. We also note that this is in contrast to the text relating to conservation areas in P17. We therefore recommend that this is addressed by amending para 1 to '...where it *conserves and enhances* the special



significance ...etc'. Para 2 can then be replaced by '*Where proposals will have an impact on significance, the tests set out in paragraphs 132-136 in the NPPF will be applied*'.

We would suggest that inclusion of a specific reference to Heritage at Risk within policy P18 would be helpful in establishing a positive strategy for the historic environment. A further clause could be added along the lines of: *Development that enables the sustainable use of assets on the Heritage at Risk register consistent with its significance will be supported*'.

While we welcome the inclusion of references the three world heritage sites within policy P21, we continue to believe that further detail is required here as to the Statement of Outstanding Universal Value (OUV) for each of the three. This would clarify how development may have the potential for negative impacts on the OUV of a site. At the very least, the Plan should make clear that development must consider the relevant issues and how the relevant OUV is to be managed. We recommend adding a final sentence

'Any proposals likely to have an impact on Outstanding Universal Value must demonstrate they have had regard to the relevant management plan of the World Heritage Site concerned'.

We note clause 1 in policy P30 relating to the appropriate scale and nature of new development in town and local centres. We would point out that a number of these centres are designated as conservation areas. As with our comments above on the evidence base for the Plan, we would suggest that this is referenced in the supporting text and that applicants/promoters are directed to the relevant conservation area appraisal/management plan in developing schemes.

Area visions and site allocations

We acknowledge the need for each of the Area Visions to reflect local character and issues, although we note that there is a somewhat varying approach to the objectives accompanying future development in each area. For example, the Camberwell Area Vision contains a welcome explicit aspiration to 'enhance the local historic environment'. It would be helpful if similar objectives were to be included for the remaining areas.

We would also reiterate our concerns in relation to tall buildings at this point. There are a number of references to 'taller' buildings in the site allocations themselves. We consider this to be a subjective description of potential new development, particularly in the lack of definition of 'tall' in terms of building height at a borough level in the Plan. As such, we think there is a risk of development proposals coming forward of inappropriate height and massing in certain locations – as with our comments above, we believe this reinforces the need to



ensure that each site allocations policy is robust. This is in terms of adequate identification of the context and character of each site (particularly in relation to heritage assets and local character) and how it should guide development proposals.

As with our comments above, we would encourage the Council to ensure that promoters adequately explore alternative methods of delivering higher-density. One potential way of doing this would be to refer to the ‘intensification’ of development rather than simply specifying tall or taller buildings – this comment applies to a number of the site allocations referred to below.

NSP02 & NSP03 (62-67 Park Street & 185 Park Street)

In line with comments above, we consider the policy text referring to ‘taller’ buildings to be problematic given the sensitive location of the site. Further analysis of likely impacts (including cumulative effects) is required before tall buildings on these sites can be included.

NSP05 1 Southwark Bridge Road & Red Lion Court

Similar considerations to NSP02 & 03 apply here. The design and accessibility text is incomplete as it fails to mention the close proximity of the Thrale Street conservation area at the southern edge of the site, and does not make any meaningful use of the range of heritage assets in setting out parameters to guide likely development. This means the reference to taller buildings is again unspecific and requires further information to be clear about likely impacts of such development.

NSP10 Biscuit Factory and Campus

We would reiterate previously-expressed views that there are unlisted buildings of heritage that are nonetheless of value and interest on the site. The design section should reflect the positive contribution these buildings make and make clear that development proposals should retain them within any new scheme. Our comments about ‘taller’ buildings elsewhere also apply.

NSP21 1-5 Paris Gardens and 16-19 Hatfields

We would suggest the second sentence of the design and accessibility guidance is amended to read: Any redevelopment should *conserve* and enhance *the significance of* listed buildings’ Comments made elsewhere about ‘taller’ buildings in this response also apply here.

NSP23 Burgess Business Park



We welcome the identification of a number of designated heritage assets on the site map. We would suggest the first sentence of fifth paragraph be amended to read 'Redevelopment must *conserve* and enhance the setting of'

NSP35 Guys & St Thomas' Trust Rehabilitation Centre

We welcome the reference to the listed pedestrian subway. In order to identify the local context appropriately, we would suggest that the following be added to the end of the second sentence of the first paragraph: '....*which includes the historic Grade II* Crystal Palace Park.*

NSP46 Skipton House, Keyworth Hostel and Perry Library

We welcome the identification of the site as being within the viewing corridor from the Bridge over the Serpentine towards the Palace of Westminster. However, the text should indicate how development proposals should respond to this constraint.

NSP49 1-5 Westminster Bridge Road

Comments made elsewhere in this response regarding 'taller' buildings apply here. As per a previous response to consultation on the New Southwark Plan, we regard this location as inappropriate for a taller building as a landmark in the area is already provided by the Grade II* obelisk. Given the presence also of a range of designated heritage assets, including the St George's Circus conservation area, we consider that testing of the impacts of any taller buildings on the site be undertaken before they can be confirmed.

NSP50 Bath Trading Estate, Herne Hill

We welcome the identification of the Grade II* Half Moon public house on the accompanying map. This should also be referenced in the policy text at the end of the third paragraph.

Finally, it should be noted that this advice is based on the information that has been provided to us and does not affect our obligation to advise on, and potentially object to any specific development proposal which may subsequently arise from these documents, and which may have adverse effects on the environment.

I trust these comments are of use. We would be very pleased to discuss various aspects of the draft Plan and our response in order to take the process forward. We would also stress that if it has not previously been the case, the involvement of the Borough's own conservation staff would benefit the development of the Plan as they are often best placed to identify and advise on local historic environment issues.



In the meantime, please do not hesitate to contact me should you require any further information.

Yours faithfully

[Redacted signature block]

[Redacted line]

Historic Environment Planning Adviser

E-mail [Redacted email address]

DD: [Redacted phone number]

[Redacted line]

[Redacted line]



5th Floor Hub 2
 Southwark Council
 PO Box 64529
 London
 SE1P 5LX

26 February 2017

Dear Sir / Madam

Southwark Council Local Plan Regulation 19 Consultation

The Home Builders Federation (HBF) welcomes the opportunity to comment on Southwark Council's local plan. The HBF is the principal representative body of the housebuilding industry in England and Wales and our representations reflect the views of discussions with our membership of national and multinational plc's, through regional developers to small, local builders. Our members account for over 80% of all new housing built in England and Wales in any one year, and were responsible for building 43% of all affordable homes in England last year.

The HBF would like to be involved in the examination of the plan.

Duty to cooperate

The Mayor and the London Plan is not subject to the duty to cooperate. The Mayor is required by legislation to cooperate with the wider south east, but the duty to cooperate does not legally apply to the preparation of the London Plan. The individual London Boroughs are subject to the duty to cooperate. If Southwark has a large unmet need for housing – then it will need to demonstrate how it has attempted to resolve this issue through the duty to cooperate. This is what is required by the NPPF and is one of the tests of soundness (paragraphs 17, 179 and 182). This is a strategic matter that must be addressed.

We assume that Southwark does not have a large unmet housing need, but it is unclear since the London Plan targets have not been translated into Southwark Local Plan policy.

P1: Affordable Homes

We note that the Local Plan does not include a specific policy target setting out the overall need for new housing in the borough. We would have expected such a policy. Presumably, this policy would have needed to reflect the current London Plan target of 2,736 net additional dwellings per annum. We note that on page 17 that the Council refers to the London Plan target of 2,736 new homes per year. This should be elevated into policy.

We note on page 22 that the Council argues that Southwark's need is for between 1,472 to 1,824 homes per year. It is unclear if this is what the Council considers its objectively assessed need for housing is, in the manner required by the NPPF.

The Replacement London Plan

The Replacement London Plan specifies a lower target of 2,554 dpa. As this will automatically become Southwark Council's new housing target upon adoption of the London Plan (anticipated in early 2019) it might be sensible to refer to this possibility in a policy in the Southwark Plan. This new target would become the basis for Southwark's land supply assessment, five year land supply assessment, and the Housing Delivery Test if this is introduced by government.

Table 1: affordable housing requirement

The policy is unsound as it is unjustified and ineffective.

It is unclear what the Council is seeking in terms of affordable housing.

We understand the Mayor of London's threshold approach to affordable housing. If that is what the Council is seeking through the policy then it would be helpful if it explained this. If it does not support the emerging policy in the London Plan on the threshold approach to affordable housing then the Council needs to state this clearly.

We cannot see how dual affordable housing targets can operate. The Council needs to establish a clear percentage rate for affordable housing.

We note the following conclusion in the Council's local plan viability assessment at paragraph 7.4:

We recommend that the Council adopts a requirement of 35% affordable housing across all developments in the borough as we consider that the Council's flexible policy approach allowing for viability to be sufficient to assist where due to site specific circumstances schemes are unable to deliver 35% 87 affordable housing.

While there may well be circumstances where a rate higher than 35% could be secured, to set such a target in the local plan would militate against the purposes of the plan-led system which is to provide policy certainty for the applicant and the decision-taker. We have been unable to locate the justification for what we assume to be the more aspirational target of 65% affordable housing. If 65% is the aspiration then we would have expected this to be tested. It appears that the viability modelling has only tested up to 50% affordable housing. Paragraph 7.3 of the report does observe:

"Some schemes (subject to their benchmark land values) are able to achieve higher amounts of affordable housing (50% affordable housing).

This would suggest that it may be possible to provide up to 50% affordable housing in some circumstances, the report does not refer to a figure of 65%. There is a scenario for 100% affordable housing but the results, on the whole, reveal non viability, although occasionally it is marginal. It would be sensible if the plan was revised to refer to an aspiration ceiling figure of 50%, but a minimum of 35% would be acceptable in most circumstances.

The policy should differentiate between public and privately owned land, reflecting the Replacement London Plan.

The results of the viability modelling seem very variable and is often viability is marginal. Moreover, viability depends very much on a range of assumptions. Viability appears to worsen with mixed use schemes. The new London Plan is placing a greater emphasis on mixed use schemes, integrating residential with industrial and commercial uses.

We note that the Council will not entertain affordable rent as part of the tenure mix and that its viability assessment justifies this (paragraph 7.5). Given our observations above, we are not so sure that this is the case. We recommend that the policy is amended to allow the provision of affordable rented products so that the policy reflects the range of affordable tenures in the current London Plan, Policy 3.11A.

The Council may also wish to amend the policy to reflect the emerging London Plan affordable housing policy which recommends a split of 30% social rent/ London Affordable Rent and 30% London Living Rent and London Shared Ownership with the other 40% to be determined by Southwark.

The approach to securing affordable housing contributions from schemes of 10 units and fewer is at odds with national policy. National policy exempts schemes of 10 units or fewer, or with a floor area less than 1,000 square metres, from contributing to affordable housing (unless the scheme is located in a designated rural area). The policy should be amended to reflect the approach in national policy. This would help to support small developers and help London to achieve the high number of completions expected from small sites (defined as schemes on land of 0.25 ha and smaller) that is in the emerging London Plan.

Land supply

The Local Plan should include a housing trajectory that illustrates the expected rate of housing completions each year over the plan period and from what sources of supply over the period 2015-25.

We have noted the *Southwark 5 and 15 Year Housing Land Supply 2016-2031* document. In terms of the five year housing supply, it would be useful to have a more detailed breakdown of the status of those sites that do have planning permission in order to judge whether they can, realistically, contribute to the five year supply.

We note the list of sites in appendix one of the document. It would be useful to see the phasing of these sites, in order to judge how many units and in which year they are expected to contribute to meeting housing needs.

The calculation of the five year land supply is incorrect. The application of a 20% buffer is sensible but the shortfall should be added to the five year need (i.e. 2,736 x 5) before the 20% buffer is added. This would result in a five year supply need of 17,156. The Council's evidence suggests that it can still achieve its five year requirement since it has identified land for 18,595 homes (although the non-conventional supply might need to be adjusted to reflect our comments in relation to Policy P24 below.

The Council should update its five year land supply calculation to reflect completions in 2016/17.

P5: Housing for older people

The policy is unsound because it is ineffective.

There is a pressing need to secure more dwellings for older people. This is reflected in the Government's *Planning for the Right Homes in the Right Places* consultation. Both the current London Plan and the Replacement London Plan include benchmark targets for the supply of dwellings for older people. These targets should be referred to in a policy in the Southwark Plan. The current London Plan identifies a need for 115 dwellings per year for older people. This target should be referred to in policy. The policy should read:

“Southwark Council will aim to provide 115 units of older persons accommodation each year. It will operate a presumption in favour of the development of older persons housing where the benchmark target has been missed in the previous monitoring year.

The Council will report annually on the number of units of older persons provided each year in its Annual Monitoring Report.”

We also recommend that schemes for older peoples' housing are exempted from contributing to affordable housing on-site. The financial model for older peoples' housing is different to that of homes for sale, and student housing and build-to-rent, as the service costs are higher (owing to the services that have to be provided on site for older people).

P6: Homes for Households with Specialist Needs

The 10% requirement for homes to be constructed to Part M4 (3) is in conformity with the current London Plan.

P24: Student Rooms

The policy is unsound because it is ineffective in terms of equating the supply of student homes as being equivalent to meeting conventional housing needs.

The current London Plan assesses the need for student housing (SHMA 2013) but it does not do so are part of its demographic modelling. The HBF is not convinced that the provision of student units will contribute to meeting conventional housing needs, or releasing conventional homes, if the GLA has not properly assessed the future growth ambitions of higher education institutions and colleges across London. There is a danger that overall housing needs have been under-estimated as a consequence. Page 53 of the Southwark Local Plan refers to this tension.

We consider that the Southwark Local Plan should reflect the new London Plan policy H3 whereby three bedrooms of student housing in non-self contained schemes should equate to one unit of C3 conventional housing.

P62: Energy

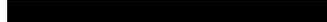
The policy is unsound because it is unjustified and ineffective.

We are not clear what is meant by a “100% on 2013 Building Regulations Part L”. Is this a 100% improvement on current Part L?

A 100% improvement suggests zero carbon homes. We do not think this is feasible, mainly because there is no definition of what constitutes 'zero carbon homes'. If the Council requires contributions to so called 'allowable solutions' then it ought to say this and how this would be done. Even so, this would not necessarily mean that homes are being constructed to a zero carbon standard. This would be misleading.

The HBF strongly opposes the Mayor's position on zero carbon. As we recently commented in our response to the National Infrastructure Commission's consultation on the National Infrastructure Assessment, standardisation is the key to success in this as well as other areas of policy. We need to avoid every planning authority in the country specifying its own approach to energy efficiency. This militates against economies of scale for both product manufacturers and suppliers and developers. There should be a single standard for the whole country and local authorities must be made to adhere to this. The Government had set Part L of the Building Regulations at the 2013 level (through *Fixing the Foundations*, HM Treasury, July 2015), because of the difficulty it had in defining allowable solutions to enable its zero carbon target to be achieved from 2016 onwards. Unfortunately, this has not stopped some areas of the country from ignoring this direction of national government and they have set zero carbon targets. This includes the Greater London area and Brighton & Hove. We need much more standardisation and no latitude allowed to combined authorities and local authorities to deviate from national standards. We consider this an important message. The Building Regulations is not an area that combined authorities and local authorities should be allowed to interfere in by creating their own local standards.

Yours faithfully


Director for Cities

Email: 

Tel: 

From: [REDACTED] on behalf of Planning.Enquiries
Sent: 27 February 2018 12:27
To: [REDACTED]
Subject: FW: Objection to the proposed new Southwark Plan and its abolition of all height restrictions for skyscrapers.

-----Original Message-----

From: Ian Ellis [REDACTED]
Sent: Tuesday, February 27, 2018 8:46 AM
To: Planning.Enquiries
Subject: Objection to the proposed new Southwark Plan and its abolition of all height restrictions for skyscrapers.

I wish to submit the following feedback and objections ahead of today's closing date. Apologies for not submitting via the website.

Please give details of why you consider the New Southwark Plan to be not legally compliant or unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the New Southwark Plan, please also use this box to set out your comments. :

I wish the inspector to rule the current Southwark Plan unsound due to its provisions on maximising housing units for all applications in most of the area visions and its abolition of the existing height restrictions in the current Southwark Plan.

Combined these two provisions make almost all the rest of national and regional planning policy redundant.

If any developer wishes to develop any site across the borough, no matter how inappropriately over-developed or how high the development, the local community will have no clear planning grounds to object.

The existing national planning policy on a presumption in favour of development has clear policy caveats laid out in various policy documents nationally and in the London Plan.

The provisions in the new Southwark Plan spelling out in clear terms that all developments will be expected to maximise number of residential units provided means all other planning policies would be neutered and any decisions made by the planning committee rejecting very dense and very tall skyscrapers across the borough, could be immediately legally challenged and due to costs incurred by the council in such appeals, would severely disable the planning committee from carrying out its legal functions laid out in national and regional planning policies.

The removal of the 8 and 10 storey height restrictions for residential and commercial tall buildings across the borough, outside of the exempted core action areas, again limits the ability of the planning committee to carry out its legal functions to ensure all applications adhere to national and regional planning policies.

The Camberwell Area Action Plan and the Burgess Business Park exemplifies these problems. This is a largely urban residential community and the removal of all height restrictions and the requirement to maximise housing units in all plans, will radically alter the area, without any real

knowledge in the community or in the Southwark Plan consultation process that such a radical change was proposed in the new plan, to change the character of the community, into one that mirrors that of the high rise, very high densities of the redeveloped Elephant & Castle.

The Burgess Business Park is located within a neighbourhood of 2 story Victorian terraced housing. To introduce very high density, tall buildings that reflect the Elephant and not Camberwell deeply damages the established character of the area.

In addition, as Burgess Park is covered by the CAAP and is immediately to the north of the Burgess Business Park, changing the planning policies as outlined, means the park will be overshadowed from the south and the New Church Road wildlife site which is immediately adjacent to the proposals site, will have its wildlife potential destroyed.

This is just one key example of why the plan's proposed policies make it unsound.

The council needs to remove these provisions before the plan can be considered to be sound.

Please set out what change(s) you consider necessary to make the New Southwark Plan legally compliant or sound. You will need to say why this change will make the New Southwark Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible. :

Remove all references in all the area plans that require maximising number of residential units. Restore full section in current Southwark Plan that sets out height limits of 8 and 10 storeys for residential and commercial buildings outside of core action areas.

Insert provision stating that parks and wild-life sites will be protected from over-shadowing from new buildingsrictions across the borough.

I hope sense will prevail and that the proposed changes do not go ahead.

Kind regards,

Ian Ellis

[Redacted signature block]

	<p>Justified or Effective</p> <p>Potentially unlawful</p>	<p>November 2016 and Southwark Council are party to; includes specific developments under the Community Assets heading to review the SCI:</p> <p>“To achieve this, we will undertake a rapid review of engagement processes with the wider community in relation to place based decisions and make recommendations on how the process can move on from consultation and informing to co-production.</p> <p>For example, we will review the 2008 Statement of Community Involvement for planning. The aim will be to bring it into line with the principles of co-production outlined in this strategy.”</p> <p>To date there has been no action on this, and so the current SCI has been used as the basis to consult on the Plan even though it is acknowledged that it has, for some time needed urgent review. This is a major concern, and the continued use of a 2008 SCI cannot be justified, nor can it be relied upon as a suitable basis to monitor the effectiveness of the implementation of the Plan.</p> <p>Indeed, it might be the case that the SCI is so out of date that it could have made the whole consultation process not legally compliant, with the SCI declared unsound and inappropriate as a basis for the future implementation of planning policies and for controlling development.</p>
<p>Suggested improvements</p>		<p>1/ The SCI is reviewed immediately to reflect the changes that should have taken place before now and, most importantly, to embed the values, principles and processes of</p> <ul style="list-style-type: none"> • the Council’s Social Regeneration policy, and • the Common Purpose, Common Cause strategy. <p>2/ The NSP is then reviewed to</p> <ul style="list-style-type: none"> • identify and address those policies that should require greater involvement of local people “from an early stage before options were created” in the manner that the revised SCI would require; • re-examine Area Visions (which are key to enabling local people to engage as the least technical of NSP documents); and • consider each of the Site Allocations that derive from those Area Visions. <p>NB It would be important that no developments, either identified in Site Allocations or more generally, should be agreed until there is a real opportunity for “early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses” and local plans reflect a “collective Vision” as the NPPF requires.</p>
<p>IIA Integrated Impact Assessment</p>	<p>Positively prepared or Justified</p> <p>Effective</p>	<p>The NSP is unsound on the basis that the assumptions made in the Integrated Impact Assessment (IIA) are not justified or positively prepared. The Integrated Impact Assessment (IIA) for the NSP combines the Sustainability Appraisal (SA), the Strategic Environmental Assessment (SEA), the Equalities Analysis (EA) and the Health Impact Assessment (HIA). Although combining assessments is valid as an attempt at efficiency in an already necessarily voluminous document; the lack of presentation of an evidence base for assumptions, and details of mitigating actions to minimise impact on communities with protected characteristics, renders the assessment unsound.</p> <p>Concerns fall into two broad areas:</p> <ul style="list-style-type: none"> • No detail of actions to be taken to mitigate against the negative effect of development on people with protected characteristics; • No detailed evidence regarding the broad assumptions made about positive effects of the Plan on communities; and consequently, there is no effective basis on which to monitor what is achieved.

		<p>For example:</p> <ul style="list-style-type: none"> • The Key Environmental, Health and Equalities objectives outlined on pages 22 – 24 of the IIA; include little reference to supporting the specific demographic composition of Southwark, or of ensuring equality of opportunity for all except for one mention of a community with a protected characteristic to “provide and maintain suitable accommodation for those with specialist need”. • Page 26, in IIA 05 of the IIA framework of objectives, highlights that it will take into consideration "How will different groups of people be affected by the option or policy - including black and minority ethnic communities, women, disabled people, lesbians, gay men, bisexual and transgender people, children and faith groups? Will it benefit the groups listed above?" However, the assessment of area visions and site allocations do not clarify how this is taken into consideration; nor how it is known there will be minor effects of development on these groups; or how any effects, even minor ones, will be mitigated against. • Pages 39 – 41 outline the significant positive and negative effects of the plan. The positive effects that are detailed are wide ranging, however no evidence base is provided on how these conclusions were reached; which gives the impression that the positive effects are largely based on assumptions. Similarly, the negative effects detail “minor negative effects in the short term in some areas towards social inclusion, equality, diversity and community cohesion” but very little detail provided on what these negative effects are, and what mitigation is planned. The limited mitigation that is detailed is sweeping and non-specific: "Nevertheless, opportunities for further mitigation in the short term could be explored through targeted community infrastructure development and the coordination of quick wins from regeneration and meanwhile uses." • It is acknowledged that it is important to be mindful of cumulative impacts and synergistic effects (p43), but the plan does not acknowledge the cumulative effects that may impact on people particularly those with protected characteristics. One such example is that the IIA fails to note the impact of the Plan on people in the Gypsy and Traveller communities, even though these communities are potentially directly affected by site allocations within the Plan: Irish Travellers are a recognised ethnic group sharing the protected characteristic of race under the Equality Act 2010, yet there is no assessment of the impact of the Plan on these communities.
<p>Suggested improvements</p>		<p>1/ P42 highlights that the conclusions reached are the result of subjective judgment by planning professionals within the council, but the Plan should publish details of the evidence base that was used to reach those conclusions to provide appropriate transparency.</p> <p>2/ In Appendix 5: Assessment of Area Visions and Site Allocations there should also be details of mitigating actions.</p> <p>3/ In the assessment (Appendix 5), IIA5 (‘To promote Social Inclusion, equality, diversity and Community Cohesion’) is the only objective that is assessed as having a long-term minor or indirect negative impact; yet IIA5 is the only objective that is assessed in this way, scoring a minor negative in 6 out of 15 area visions. The commentary for this objective, details the potential risks, but with little analysis of what could be done to mitigate the risks: “Broadly, NSP policies would otherwise manage the impacts of development which might adversely impact specific groups.” The Assessment must include detailed consideration of the mitigating actions or else risk failing to ensure that communities with protected characteristics aren't left behind.</p> <p>NB The Plan will shape the borough for many years to come, and a thorough and transparent IIA is key to ensuring that existing communities also benefit from the changes that regeneration brings, and that our diverse and inclusive communities are properly served, and needs addressed. The IIA provides a framework to protecting and increasing</p>

		opportunities for existing communities through the regeneration process, but the lack of information and transparency on the anticipated effects on communities with protected characteristics makes it very difficult to ensure appropriate mitigating action is taken.
SP2 Social Regeneration to Revitalise Neighbourhoods Plan page 17	<p>Positively prepared or Effective</p> <p>Justified</p> <p>Consistent with National Planning Policy</p>	<p>The adoption of a Social Regeneration Policy in September 2017 marked a huge leap forward by Southwark Council on terms of re-focusing its activities, strategies/policies and processes, towards greater involvement of and co-production with its residents. The Policy will secure more effective and focused cross-discipline working across the Council to focus on bigger picture issues and on bigger developments ahead that cross-sectoral activity (including involving local people and their communities) can focus their respective strengths on. But the late appearance in the NSP time-table and the minimal effect it has had on the NSP, so far, means it is neither positively prepared or effective.</p> <p>It should have been a policy in place before the proposed NSP was developed, so that all NSP issues and policies were developed through that lens; and without that the NSP is deficient in people-related and people-focused issues. SP2 on page 17 sets out laudable aspirations for the Social Regeneration Policy, but the management policies to deliver these are not reflected in the NSP. Those that have been associated with Social Regeneration to Revitalise Neighbourhoods from P11 to P22 on pages 37 to 50 are an assortment of management policy areas some of which might fit with Social Regeneration but others that would appear to have been put there for lack of another appropriate Strategic Policy (and could hardly be justified on a Social Regeneration basis).</p> <p>The inappropriateness of four of the Management Policies (P14, and P16-18 below), serve to illustrate the need for Policies to be reviewed through the Social Regeneration prism.</p> <p>It could perhaps quite reasonably be argued that a wide range of other Management Policies ought to be associated with Social Regeneration, for example P5 Housing for Older People; P6 Homes for households with specialist needs; P23 an P24 concerning Best start in Life; P42 to P53 concerning Healthy, active lives; etc.</p> <p>As previously referred to in my response on Implementation Policies, the Social Regeneration Policy is not just key to getting local communities involved at the earliest stage; it is what National Planning Guidance requires but the Council does not currently do, and that is regrettable.</p> <p>Whilst reasons are often offered that working with, and trusting, local people increases risk of not delivering; that approach fails to understand that working closely with local people can mitigate against risk through developing solutions that people both need and want, and have a real stake in. Adding to that, the obverse of risk management is not that you are risk averse, but you risk not taking opportunities that are created, and lose the chance of the much greater potential rewards that a bigger vision might bring.</p>
Suggested improvements		<p>1/ The Social Regeneration Policy, it's values, principles and processes; be reflected in the urgent review of the SCI that is needed and overdue.</p> <p>2/ The NSP be reviewed to identify and address those policies that should require greater involvement of local people "from an early stage before options were created" in the spirit of Social Regeneration and as a revised SCI would require.</p>
P14 Tall Buildings Plan pages 42 & 43	Justified	<p>This policy is not justified as it:</p> <ul style="list-style-type: none"> Involves a significant policy change on tall buildings with no new evidence to support the change (last research paper was March 2010).

		<p>vision maps and within site allocations; and indicative heights should be given. These locations and indicative heights should be put out for consultation with residents and businesses.</p> <ul style="list-style-type: none"> • Make clear that tall buildings will be considered inappropriate in all other locations. • Clarify all vague or unspecified sections, including <ul style="list-style-type: none"> ○ Policy 2.11 reflecting 3.8.4 of the New Draft London Plan and confirm that the space will be truly publicly accessible, for example through a free viewing gallery. ○ References to “criteria” should make clear exactly what those criteria are. ○ A clearer definition of tall buildings be provided, as indicated by New Draft London Plan Policy D8 part A.
P16 Listed Buildings and Structures. Plan page 44.	Positively prepared Justified	<p>This policy is not positively prepared or justified as it does not ensure that the relevant specialist advice on the future viable use of the buildings and structures is available before a planning decision is made. Failure to assess damage to listed buildings at the right time, and consult relevant stakeholders and subject specialists, inevitably results in important heritage loss. This is particularly important as heritage that is important either because of its respective architectural merits, or the important social history that residents associate with it, can never be re-gained.</p> <p>One recent concerning a specially designed building for painting theatre scenery that is Grade 2 listed; was given permission by the Council to be converted to residential use, retaining few of the features, based on an opinion from an organisation with no expertise in the viability of the building in the future. After permission was granted professional actors, scenery makers and other users campaigned against the decision demonstrating that the building was both viable and much needed in London; and that the right specialists had not been asked for an opinion. Irreparable harm has now been done not only to the heritage asset but also to a viable structure of importance to the theatre industry.</p> <p>This is just one example of the consultation process used being inadequate and that the Listed Buildings and Structures Policy needs further strengthening.</p>
Suggested improvements		<p>An additional point needs to be added to make this policy sound; along the following lines:</p> <p style="padding-left: 40px;">3. When development is proposed affecting listed buildings and/or structures; a detailed consultation plan, including appropriate specialist assessments, should be presented with planning applications.</p> <p>Extended timescales should be included for the associated appraisal, ensuring that the specialist interests to be consulted include users, and people and organisations who are knowledgeable about that particular sector.</p>
P17 Conservation areas. Plan page 44.	Positively prepared or Justified Effective	<p>The policy is neither positively prepared nor justified because of conflicting NSP policy that seeks high density residential developments that appears to take precedence.</p> <p>Currently Conservation Area Appraisals are regularly ignored when planning applications come up that impact on conservation area; either favourably or unfavourably. Presumably because there is pressure to build residential accommodation, Conservation Area designation is given no importance. To add insult to injury, this is not even to provide for affordable housing which is in such high demand in the borough, being typically for “unaffordable” housing instead. seems to override. Consequently, the effectiveness of this Policy is called into serious question.</p> <p>There is nothing new in this policy that would change this situation; and in the meantime, permission is being given for buildings that are out of scale in height and mass with the Conservation Area, eroding its settings, views and compromising historic character and distinctiveness that can never be replaced.</p>

<p>Suggested improvements</p>		<p>To make Policy P17 effective and sound the following might be added:</p> <p>3.2 When any developments are proposed that do not accord with the existing heights, mass and density in a Conservation Area, this should be subject to additional public consultation before any such developments can be determined; and decision ultimately taken by the full Planning Committee and not under delegated powers.</p>
<p>P18 Conservation of the Historic Environment and Natural Heritage. Plan page 45.</p>	<p>Consistent with National Planning Policy</p> <p>Justified</p>	<p>This Policy is</p> <ul style="list-style-type: none"> • not consistent with the National Planning Policy Framework which provides for Heritage Assets being included on a Local List; and • not effective because it fails to explain how without a Local List, unlisted buildings and heritage assets will be protected and enhanced by new developments, and so not able to achieve its aim. <p>The Policy recognises the existence of conservation and heritage assets that are not protected under the Planning (Listed Buildings and Conservation Areas) Act 1990 but does not provide for a Local List which is the nationally recognised method for giving them protection. Historic England states:</p> <p>“Local lists play an essential role in building and reinforcing a sense of local character and distinctiveness in the historic environment. Local lists can be used to identify significant local heritage assets to support the development of Local Plans. Encouraging the use of local lists will strengthen the role of local heritage assets as a material consideration in the planning process... “</p> <p>“Moreover, Local Lists are usually made very effectively in partnership with residents through occasional appraisal and/or a nomination system which recognises and takes advantage of residents’ knowledge, and highlights community value assets. This is invaluable in engaging the local community in the effective conservation of their neighbourhood’s heritage. “</p> <p>At its heart, local listing provides an opportunity for communities to have their views on local heritage heard; recognising that the importance we place on the historic environment extends beyond the confines of the planning system to embrace those community-based values that contribute to our sense of place. This was recognised in earlier Southwark planning policy documents:</p> <ul style="list-style-type: none"> • The adopted version of the Elephant & Castle SPD from March 2012 states (4.5.12) that "We (Southwark) will be consulting on our local list in summer 2012. The local list will be established through that process"; • The Peckham and Nunhead AAP 4.7.12 (2014) states “... we have also identified buildings which are worthy of being added to the council’s local list. The local list identifies buildings and structures with local value which make a positive contribution to character or appearance due to Buildings on the local list in Peckham & Nunhead include”; and the Fact Box Page 98 refers to the NPPF definition of heritage assets including locally listed buildings; and provides English Heritage good practice guidance on the criteria to use to identify buildings and other objects for the Southwark ‘Local List’. • The NSP Options version from October 2014, Draft Policies and area visions states – “DM55 Local list buildings and views: Southwark will have a list of locally important buildings, structures and views that positively contribute to local character and amenity.

	<p>Positively prepared or Effective</p>	<p>DM55.1 Development must take these locally important buildings, structures and views into account. Reasons: Locally important buildings and views make a positive contribution to local character and distinctiveness, but they do not benefit from a statutory designation. We will prepare a list of locally important buildings and views, and the criteria for their selection as part of a Heritage SPD.”</p> <p>There has been no explanation why the provision for a Local List does not appear in the NSP submission version, which suggests it is not positively prepared; but also, in the absence of a Local List there is a lack of relevant information on which to effectively monitor the impact of this Policy</p>
<p>Suggested improvements</p>		<p>The addition of two further requirement in this Policy potentially make it sound:</p> <ol style="list-style-type: none"> 2. Unlisted buildings of townscape merit and undesignated heritage assets be identified and gathered in a Local List and afforded the same protection as listed buildings and/or conservation areas. 3. A community engagement policy be developed to encourage local neighbourhoods to develop a local process, perhaps through an existing community group/network (or creating one if there is no appropriate body) to nominate buildings for the Local List.
<p>SP4 Strong Local Economy and P25 Strategic Protected Industrial Land Plan pages 18 & 54</p>	<p>Positively prepared or Justified or Effective or Consistent with National Planning Policy</p>	<p>With the huge pressures on Council’s to identify development sites that meet the huge reported need for more housing, especially affordable housing, the NSP includes a substantial number of prospective sites on what is currently deemed to be Industrial Land. This is inconsistent with National Planning Policy, and the opposite of the policies of The Mayor in his New London Plan which states that there should be no net loss of Industrial Land.</p> <p>That does not, of course, mean that such land could not be used more efficiently or effectively; but does mean that there must be careful consideration given to ensure that proposals properly reflect the sustainable economic needs of the borough and its residents alongside social needs.</p> <p>Work undertaken by local businesses has identified that the Council has not done this adequately, and so cannot make objective decisions on the best paths to follow. These include:</p> <ul style="list-style-type: none"> • Failure to objectively assess and define the business and other development needs of Southwark; • Failure to carry out a review of land available for economic development, undertaken at the same time as, or combined with, the Strategic Housing Land Availability Assessment; • Failure to ensure that the Local Plan is based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area; • Failure to meet the business development needs of Southwark; • Failure to ensure that the assessment of and strategies for housing, employment and other uses are integrated, and that full account has been taken of relevant market and economic signals; • Failure to be aspirational but realistic, and to pay careful attention to viability and costs in plan-making and decision-taking; and define a plan that is deliverable. • Failure to carry out early and meaningful engagement and collaboration with businesses during NSP preparation; • Failure to effectively cooperate with neighbouring authorities to plan for issues with cross-boundary impacts. <p>These inadequacies would make the plan unsound; indicating that it has not been positively prepared, justified, nor will it be effective, nor is it consistent with national policy, as defined by the National Planning Policy Framework</p>

Suggested improvements		<p>This Policy is in need of urgent review in light of the lack of understanding and evidence that it needs to be based upon; and to reflect upon the Mayor’s New London Plan and its requirement for no net loss of Industrial Land.</p> <p>Consequent to this, the Site Allocations on Plan pages 94 to 336 need to be reviewed to ensure that Industrial Land and associated jobs are protected, especially as these jobs are most likely those employing existing local communities who would be disproportionately affected if those jobs were lost to the area.</p>
Area Visions and Site Allocations Plan page 94	<p>Justified</p> <p>Consistent with National Planning Policy</p> <p>Positively prepared</p> <p>Effective</p>	<p>This policy is not justified as:</p> <ul style="list-style-type: none"> • The policy change to P14 Tall Buildings means that locations proposed for Tall Buildings are no longer identified in Area Visions or Site Allocations, thus rendering them as both meaningless and unfit for purpose. • The inconsistency of the policy on P25 Industrial Land with the Mayor’s New London Plan, potentially means that several Site Allocations will need to be withdrawn or substantially modified if there is to be no net loss of such land. • The Area Visions fail to take account of submissions made by residents for their respective areas in November 2016, at the invitation of the Council, and as identified in the Consultation Report. <p>This policy is not sound because it is not consistent with National Planning Policy Framework, through failure to comply with the need for “early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses” so that Local Plans reflect a “collective vision”; which none of the Area Visions do.</p> <p>This policy is not positively prepared as, whilst some Area Visions of the policy are vague or unclear:</p> <ul style="list-style-type: none"> • Visions of residents as identified in the Consultation Report have been ignored in producing the version now submitted by the Council; • Consequently, they do not reflect a distinctively different identity that is relevant to each individual area for which a Vision has been included; • The significant policy change to P14 Tall Buildings, means tall buildings may now be permitted anywhere in the borough which infers that they could significantly change each Area Vision in terms of both numbers and locations, and with no definition of what a tall building and not clarifying what “significantly taller than their surroundings” means. • The lack of consistent approach of Policy P25 Industrial Land with the Mayor’s New London Plan, potentially means that many current Site Allocations will need to be withdrawn or substantially modified if there is to be no “net loss” of such land. <p>This policy is not effective as it does not:</p> <ul style="list-style-type: none"> • Provide Visions for each area that are sufficiently clear and distinctive enough to enable measurement that can demonstrate delivery of each Vision. • Provide Visions, & associated site allocations, that reflect where Tall Buildings are to be located, and at what height.
Suggested improvements		<p>To make the policy and NSP sound</p> <ul style="list-style-type: none"> • Revisit the Area Visions to ensure they reflect a “collective vision” in “collaboration with neighbourhoods, local organisations and businesses”;

		<ul style="list-style-type: none"> The resulting Area Visions, and their associated Site Allocations, to clearly identify where tall buildings are appropriate and their indicative heights; <p>which should then be put out for consultation with residents and businesses.</p>
<p>Peckham Area Vision. Plan page 310.</p>	<p>Justified</p> <p>Consistent with National Planning Policy</p> <p>Positively prepared</p> <p>Effective</p>	<p>This Vision statement is not justified as:</p> <ul style="list-style-type: none"> The policy change to P14 Tall Buildings means that locations proposed for specific Tall Buildings are no longer identified in individual Area Visions or associated Site Allocations, thus rendering them as both meaningless and unfit for purpose. That Policy on P25 Industrial Land is inconsistent with the Mayor’s New London Plan, potentially means that Site Allocations will need to be withdrawn or substantially modified if there is to be no net loss of such land. The Peckham Area Vision fail to take account of submissions made by residents for their respective areas in November 2016, at the invitation of the Council, and as identified in the Consultation Report. <p>This Vision statement is not sound because it is not consistent with National Planning Policy Framework, through failure to comply with the need for “early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses” so that Local Plans reflect a “collective vision”; which this self-evidently doesn’t do.</p> <p>This Vision statement is not positively prepared as it is vague and unclear on several points:</p> <ul style="list-style-type: none"> Visions of residents as identified in the Consultation Report have been ignored in producing the version now submitted by the Council; Consequently, they do not reflect a distinctively different identity that is relevant to Peckham; The significant policy change to P14 Tall Buildings, means tall buildings may now be permitted anywhere in the borough which infers that they could significantly change each Area Vision in terms of both numbers and locations, and with no definition of what a tall building and not clarifying what “significantly taller than their surroundings” means. The lack of consistent approach of Policy P25 Industrial Land compared with the Mayor’s New London Plan, potentially means that many current Site Allocations will need to be withdrawn or substantially modified if there is to be no “net loss” of such land. <p>This Vision statement is not effective as it does not:</p> <ul style="list-style-type: none"> Provide a Vision for Peckham that is sufficiently clear and distinctive enough to enable measurement that can demonstrate delivery of the Vision; Provide a Vision for Peckham, & associated Site Allocations, that reflect where Tall Buildings are to be located, and at what height; Provide a clear framework to explain how the changes proposed affecting some new Sites and their juxta-position with other existing sites, would impact (positively and/or negatively) on the area.
<p>Suggested improvements</p>		<p>To make the policy and NSP sound</p> <ul style="list-style-type: none"> Revisit the Area Visions to ensure they reflect a “collective vision” in “collaboration with neighbourhoods, local organisations and businesses”; The resulting Area Visions, and their associated Site Allocations, to clearly identify where tall buildings are appropriate and their indicative heights;

		All of which should then be put out for consultation with residents and businesses.
NSP75 Aylesham Centre & Peckham Bus Station. Plan pages 312/4	Positively prepared or Justified	<p>Though the development of this Site has appeared on previous Plans for the Peckham Area, the insistence that the site should include a Tall Building conflicts with the views of many residents who believe it is entirely out of place within a typically low-rise area (the only tall building having been identified in the 2014 Peckham Area Action Plan as being totally out of place and inconsistent).</p> <p>Though local people are being actively consulted with by the site owners and potential developers, the Tall Building issue remains a major factor with which local people and businesses are unhappy; and a local campaign against such a building has been escalating over the first few weeks of the New Year (and believed to have over 4,500 signatories already). That the development is desirable overall is not in question; it is that the development must be appropriate to the location and to address local needs.</p>
Suggested improvements		There is the need for “early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses” so that the plans for this site reflect a “collective vision” which it self-evidently doesn’t do now
NSP76 Blackpool Road Business Park Plan pages 315/6	Positively prepared Justified	<p>The potential development of this site has appeared in earlier versions of the NSP, and it is notable that the two very recent additions to the list of Peckham Development Sites, NSP77 and NSP78 on pages 317 to 321, make for contiguous redevelopment in the areas immediately to the east and south-east of Peckham Rye.</p> <p>These three sites together, if properly developed, provide opportunities for changes that could be highly beneficial to Peckham Town Centre (including the public realm); yet this potential is not reflected in the Peckham Area Vision on page 310 despite being a feature of several submissions made by residents to the Council for their Vision for their area in November 2016. Again, that demonstrates that the Area Vision was not positively prepared.</p> <p>Together, they keep the residential areas away from an expanded town centre; and this makes sense, especially given the night-time economy issues that Peckham increasingly needs to provide for and take account of. However, the Blackpool Road site is currently primarily Industrial Land, which is protected from further net reduction; whereas the proposed site use seeks to re-create the same employment floor-space but also increase housing on the southern part of the site.</p> <p>But this is Industrial Land in the true sense and creating the same floor-space means building upwards, and jobs being very different from those performed on the site now. This doesn't suggest much space remains for new housing so there is only one direction that will be going, and that is with taller buildings; though none of this is outlined in the Peckham Area Vision either, so has not been a basis for discussions yet.</p>
Suggested improvements		There is the need for “early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses” so that the plans for this site reflect a “collective vision” to the wider benefit of the area.
NSP77 Land between the railway arches (East of Rye Lane) Plan pages 317/8	Positively prepared Justified	<p>The potential development of this site has only very recently been added to the NSP, and self-evidently it is closely related to NSP76 and NSP78, sitting as it does between the railway arches east of Peckham Rye station with the soon to be redeveloped station square in front of it, and Copeland Park at its southern side, which could be linked through opening ways through railway arches.</p> <p>On the face of it this proposal is broadly sensible given previous local community conversations about opening out the Town Centre and better links between locations to take pressure off Rye Lane; and with a proposed mixed development</p>

		<p>of small scale units for business, culture, leisure and retail – like the surroundings.</p> <p>However, no mention is made of the future of the existing Art Deco building at the front of the site (that local people still refer to as the C&A building) and which forms part of a unique collection of Art Deco buildings in the Town Centre.</p> <p>It is also evident that this has been swiftly added to the NSP without being positively prepared because the photograph included to illustrate the site is the Choumert Road Car Park, which is a site recently removed from the NSP.</p>
Suggested improvements		There is the need for “early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses” so that the plans for this site reflect a “collective vision” which it self-evidently doesn’t do now
NSP 78 Copeland Industrial Park and 1-27 Bournemouth Road. Plan pages 319/21	Positively prepared or Justified	<p>The potential development of this site has only very recently been added to the NSP, and self-evidently it is closely related to NSP76 and NSP77, sitting as it does to the south of the land between the railway arches and the Blackpool Road site. Again, there is the potential for links between and through these sites, which perhaps suggest that they should be considered together.</p> <p>The proposal provides the opportunity for "larger floorplate retail units which are lacking in the town centre", which it is believed will and attract more people to Peckham; though there is a prevailing view that it is the small-scale businesses and enterprises that have made Peckham into an increasingly popular location over the last 10 years, and larger-scale developments and outlets might put this at risk unless well managed and sensitively located.</p> <p>However, the proposal also includes "the potential for a cinema to be located on the site", which is at odds with the Council’s recent removal of the Peckham Multi-Storey Car Park from the list of Development Sites and the extending of leases to the tenants of that building which include the highly successful PeckhamPlex cinema.</p> <p>With this proposal, there would be no residential units included alongside the Bournemouth Road frontage which is consistent with keeping residential areas away from an expanded town centre and the associated night-time economy issues in Peckham. However, it includes a vision to provide new homes on the site and says, "the site's central town centre location also provides an opportunity for a taller landmark building of up to 15 storeys to the east of the site”, but that part of the site is very limited and borders with the part of the Blackpool Road site that is not regarded under NSP76 as suitable for housing.</p> <p>These inconsistencies, and lack of joining together with the neighbouring sites, suggest the site has been added without regard to the rest of the immediate town centre.</p>
Suggested improvements		There is the need for “early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses” so that the plans for this site reflect a “collective vision” which it self-evidently doesn’t do now.

Name: Ian Smith, [REDACTED] resident

Email address: [REDACTED]

Address: [REDACTED]

I wish to take part at the oral examination/public hearings.

1. The New Southwark Plan is illegal because Gipsy and Traveller sites are not included. This means that the needs of Gipsies and Travellers have not been included in the impact assessment and that as a community they have not been consulted with in accordance with the Council's Statement of Community Involvement. **This could be remedied** by including the provision of Gipsy and Traveller sites in the plan.
2. IP5 - Monitoring Development. **This policy is unsound** because it is not effective. Adequate monitoring of development cannot be achieved unless the Council's whole approach to monitoring is changed. The Council has a record of not monitoring the actual outturn of, for example, the delivery of affordable units within completed developments. This is indicative of their approach to monitoring. **In order to monitor development in an effective way** the Council needs to set in place more effective monitoring of the actual outturn of developments and regeneration that has happened and is happening across the borough.
3. IP6 - Statement of Community Involvement. **This policy is illegal** because the Statement of Community Involvement that is being used is 10 years out of date and so is not compliant with, for example, the recent Supreme Court case on the principles of consultation within the 2011 Localism Act.
4. SP2 - Social regeneration to revitalise neighbourhoods. **This policy is unsound** because it does not make any reference to the impact of tall buildings on existing residents and neighbourhoods, nor to the conflict between enhancing local distinctiveness and heritage led regeneration and the proliferation of tall buildings. **This can be remedied** by the inclusion of an appropriate reference to the potential impact of tall buildings in these cases.
5. P10 Self and Custom Build. **This policy is unsound** as it places restrictions on self and custom build that undermine the policy's ability to empower local communities. Barriers, including providing evidence of financial resources and restrictions based on "making efficient use of land" and ensuring "appropriate density" which are undefined and unevidenced in the Plan should be removed. Neither criteria are in the London Plan. **This may be remedied** by adding a package of support systems suitable for empowering communities in SP2 Social Regeneration and by committing to work with the Mayor to provide suitable support through access to expertise, partnering with smaller Housing Associations and ensuring the register is fully accessible to those local groups interested in self and custom builds. As per the London Plan 2017 (Policy H2 Small Sites) the definition needs to be widened to include all forms of community housing (co-ops, co-housing, CLTs etc.).
6. P11 - Design of place. **This policy is unsound** because it does not take into account evidence about the adverse effects of tall buildings on existing residents and neighbourhoods. Nor does it suggest how these adverse effects could be remediated if tall buildings are to be built. **This could be improved** by addressing this evidence and included appropriate guidelines for remediation.
7. P14 - Tall buildings. **This policy is unsound** because it makes no reference to or use of the evidence contained within, Historic England Advice Note 4 (2015) which has superseded the Historic England/CABE guidance from 2007 referred to in the text. **This can be remedied** by including reference to HE Advice Note 4 in the text and by incorporating its recommendations into the plan.
8. Area Visions and visions for specific sites. The failure of the plan to include any reference to HE Advice Note 4 **renders many of the visions for specific sites unsound** because they can no longer be described as objective and positively prepared. For example, in NSP08, NSP09, NSP42, NSP44, NSP45 and NSP46, it is said that tall buildings could be included in development plans provided that consideration was given to impacts on the existing character, heritage and townscape. This excludes consideration of, for example, the impacts on pedestrians and cyclists and on new and established walking and cycling routes due to wind shear caused by the agglomeration of multiple tall (or taller) buildings in successive developments.



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Planning Policy
London Borough of Southwark
PO Box 64529
London
SE1P 5LX

27 February 2018

By email
planning.policy@southwark.gov.uk
let.021.JC.22660003

Dear Sir/Madam

NEW SOUTHWARK PLAN PROPOSED SUBMISSION VERSION CONSULTATION

We write in response to the New Southwark Plan Proposed Submission Version consultation. We welcome the opportunity to engage with the document at this stage, in advance of the submission of the final draft for the Examination in Public.

Purpose of representations

These representations have been submitted in order to put forward our view of the emerging policies within the New Southwark Plan, specifically Policy P24: Student homes. Other comments relating to the Old Kent Road policies are also included.

We believe that the New Southwark Plan ("the plan") fails the test of soundness as set out in paragraph 182 of the NPPF on the basis that the plan is not justified. It is not based on a realistic evidence base for the delivery of student accommodation schemes in London; specifically BNP Parabis' assumptions set out in New Southwark Plan Evidence base: Housing Policy Viability Study (September 2015) lacks transparency and key detail.

In its current form, the plan cannot be found sound and the evidence base relating to the requirement for affordable housing and affordable student accommodation should be subject to further review.

Policy P:24 Student homes

A specific policy relating to student homes is welcomed, however the requirement for 35% of the GIA to be provided as conventional affordable housing as well as the requirement for 27% of student rooms to be let at a rent that is affordable to students (a requirement effectively relating to 62% of the GIA of student schemes) fails to consider the delivery model as well as the operational efficiencies and the on-going management of purpose-built student accommodation as buildings that are specifically designed to meet the needs of students, rather than the general community.

Further, paragraph 173 of the NPPF sets out that development requires careful attention to viability and costs in plan-making and decision-taking. Local authorities are required to ensure that plans are deliverable and that sites should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened.

As the key evidence base document for P:24 Student homes, “New Southwark Plan Evidence Base: Housing Policy Viability Study” (September 2015), prepared by BNP Parabis sets out little detail as regards the key assumptions for the viability testing of various development types, including student accommodation.

The evidence base does not include a complete viability appraisal of a hypothetical student accommodation scheme in full detail, nor does it detail build cost assumptions for student accommodation schemes. Table 5.33.1 only details residential base build costs for residential (C3). Clarification as to whether BNP Parabis have utilised these costs for C3 residential for the assumptions for student accommodation appraisals is required.

It is also unclear how conclusions regarding the viability of delivering a significant contribution to affordable housing as part of a purpose-built student accommodation scheme have been reached. The failure to include a complete worked example of a student scheme begs the question as to how exactly the Council can justify the proposed policy requirement for 35% affordable housing and 27% affordable student rooms in P:24 Student homes.

Overall, we question the soundness of P:24 Student homes because of the lack of transparent information included within the BNP report as well as the lack of flexibility, required by BNP, in the current policy wording. This conflicts with the requirements of paragraph 182 of the NPPF, to set out policy that is justified and based on realistic evidence.

Policy AV.12.2 Development in Old Kent Road

Policy AV.12.2 (fifth bullet point) sets out that development in Old Kent Road should ‘build new homes that come in a range of types from terraced houses to apartments with a high design quality...’. In order for this statement within the plan to link with the remainder of the plan and with the emerging Old Kent Road Area Action Plan, this statement should be amended to reference the delivery of student accommodation as part of development in Old Kent Road.

We note that the Council refers to student accommodation as part of the overall housing supply¹ so in order to make the intent for development in Old Kent Road clear, student accommodation should be specifically referenced.

Policy NSP 66: Marlborough Grove and St James’s Road

To ensure that the vision for NSP 66: Marlborough Grove and St James’s Road is aligned with that of OKR11 of the emerging Old Kent Road Area Action Plan, the

¹ Southwark Five and Fifteen Year Housing Land Supply: 2016 - 2031

site vision should specifically reference the delivery of student accommodation as being acceptable in this location.

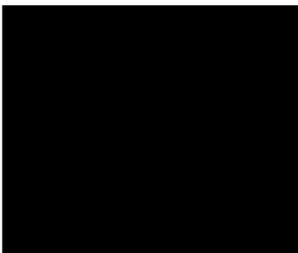
Summary

We support the Council's ambition for development and specific policies relating to student accommodation, particularly within the Old Kent Road area in LB Southwark however it is critical that planning policy does not unnecessarily hinder the delivery of purpose-built student accommodation in London.

As drafted, Policy P:24 fails to meet the tests of paragraph 182 of the NPPF. It is not justified as the evidence base is lacking specific detail about the viability testing of student accommodation schemes. In order for the plan to be found sound, we request that BNP Parabis' evidence base document is reviewed by the Council and necessary changes to policy are made prior to the progression of the plan to EIP.

If you wish to discuss any of the comments made in further detail please do not hesitate to contact me or my colleague [REDACTED].

Yours faithfully

A large black rectangular redaction box covering the signature area.

[REDACTED]

From: Izzy Parker [REDACTED]
Sent: 26 February 2018 19:00
To: planningpolicy
Subject: Please keep buildbase

Follow Up Flag: Follow up
Flag Status: Flagged

Hi

I run a successful set design and installation art company based in Bussey Building. I buy all my building equipment from Buildbase and it would greatly effect my business if it was closed down.

I hope you will take mine and many other creative companies based locally concerns into consideration.

Best,
Izzy
--

Izzy Parker
Designer

[REDACTED]

[REDACTED]
tweet. [REDACTED]
insta [REDACTED]

[REDACTED]

From: jane emery [REDACTED]
Sent: 25 February 2018 09:17
To: planningpolicy
Subject: New Southwark plan - Consultation response

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sirs,

the plan seems reasonable enough.

I have a comment, however, relating to the bureaucratic regime currently in place for waste disposal visits to your old Kent Road site. These need to be eased inaccessibility makes fly-tipping much more appealing as evidenced by big rubbish being dumped opposite my house!

Yours faithfully

Jane Emery
[REDACTED]
[REDACTED]

Representations on the New Southwark Plan Proposed Submission Draft

Submitted by Jane Middlehurst,

Business Address: [REDACTED]
[REDACTED]

Home address: [REDACTED]
[REDACTED]

27th February 2018

I wish to take part at the oral examination / public hearings.

We would welcome the opportunity to submit further explanation and evidence in support of these objections, and to enter into dialogue to resolve some or all of these objections.

We are one of 300 members of the Vital OKR association that has emerged over the past couple of years to give a stronger voice to the businesses in the Old Kent Road area of Southwark. In our chunk of the borough there is a diverse economy driven forward by close to 1,000 businesses who provide work for around 10,000 people. We have strong industrial enterprises, most of them focused on serving inner and central London's just-in-time supply, servicing and production needs, we have a fast expanding cluster of creative enterprises, niche and craft producers, many builders merchants, vehicle repair and hire garages, diverse retail, several thriving high street settings and a dynamic faith community.

Notable amongst the challenges facing the economic life of our area is the constricting supply of suitable accommodation. While our enterprises are vital, there is not enough space for them to grow, and for others to be welcomed. The problem has become worse since the local planning authority signalled potential for large scale residential focused redevelopment right across the area, and has commenced a process of intense dialogue with larger land owners and potential developers, already resulting in 6 major policy violating planning applications. Alongside this process has come intense land trading, much uncertainty, rent escalations, and plummeting lease lengths.

Our response has been to get busy raising awareness of the economy we have and the threats it faces, and to engage as best we can in the bewildering complexities of the planning system. We have been trying hard to open up a dialogue with Southwark Council, to persuade them that a good future for the Old Kent Road can be achieved without losing its current remarkable collection of businesses and its battered but strong civic life.

Of course, we could not ignore the New Southwark Plan, and as we studied it we were struck by how the challenges the economy of our area faces, many of them the result of clumsy planning based on insufficient understanding, have equivalents right across Southwark borough. We felt obliged to speak out, and therefore to make representations on the NSP.

We have noted that the NSP has been prepared with reference to only a rudimentary, incomplete and outdated evidence base, without any coherent fine-grained assessment of what there is and what it can be predicted there will need to be, without significant consultation with enterprises and their people. We were struck by how inappropriate that is for a large borough within a city experiencing such intense growth challenges. While such clumsy planning might not have caused alarm a decade or more ago, when there was still plenty of available capacity for non-residential uses in London, today the situation is very different. GLA assessments have shown that our city is now expected to face a several hundred hectare shortage of industrial capacity, and that some 70% of London's high streets are potentially particularly vulnerable to development pressures as they lie outside town centre designations. These are amongst the indicators that, along with market signals such as fast rising rents and purchase costs, remind us that the balancing of competing claims for space must be a central focus of planning.

Our own review of the NSP led us to believe that its consequences for the Borough's economy as a whole would be destructive and constricting, that it fails to show how the full range of accommodation requirements can be met (as does the evidence offered to support it), that it also fails to offer adequate protection for huge quantities of accommodation that is vulnerable to replacement by residential now that such use commands the highest value in the majority of locations, and it fails to how set out a coherent strategy to nimbly manage competition for space.

We believe that the NSP as submitted is unsound as it has not been positively prepared, is not adequately justified, will not be effective, and is not consistent with national policy as expressed in the National Planning Policy Framework nor with several London Plan policies, with regard to accommodating the future economic and civic life of the borough.

Our comments, presented here as 66 objections (even though many relate to policies that we partially or wholly support), start with the failure of the NSP as a whole to plan for the needs of the area's economy, and then focus on key policies in the *Strong, local economy* chapter, followed by a few policies of relevance to the economy in the rest of the plan.

We have included some key extracts and summaries of NPPF paragraphs (March 2012) and London Plan (December 2017 Draft for Public Consultation) policies and supporting text, of particular relevance to each objection, but we ask for it to be noted that we are challenging the soundness of the plan as a whole, since there has been a failure to understand and then provide for the accommodation needs of all aspects of the borough's ongoing (and growing) economic and civic life. This failure straddles across the topic

areas and policies to which we object, and appears to result from deficiency in the gathering of up to date and detailed information, an inadequate understanding of trends and a lack of quantification of needs and consequences. During preparation of the plan there has not been a consideration of non-residential capacity in a holistic manner, and there appears to have been a blindness to the need to balance the pressing requirement for substantial increases in housing supply with the equally valid claims by other activities for fair treatment and support through the planning system for their spatial needs.

Objections to the failure of the NSP as a whole to plan for the needs of the economy

During preparation of the NSP there has been a failure to achieve an overall understanding of, a failure to audit and to map, the economic life of the borough and its current accommodation extent and geography, and following that a failure to marry what there currently is (accommodation and the economic life that uses that accommodation) with predicted future requirements. There appears to have been no coherent attempt to match requirements with provision through careful policy and policy map designations. Nowhere in the evidence base have we found schedules and map assessments of accommodation quantums, with estimations of the effect of policies, plan designations and allocations, compared with estimates of future need. This is a fundamental failure, a disregard of the most basic obligation to plan.

Our alarm is greatest when we consider the cumulative effect, in a time of unprecedented pressure for residential growth in London, of the NSP as proposed for submission. The economy and civic life of Southwark has the potential to expand substantially, yet the NSP as it stands would allow, and in part actively promote, shrinkage of the accommodation for that economy. The strip-out of capacity could be most dramatic from high street places and industrial areas.

The NSP has failed to demonstrate an understanding of, and an allowance for, the borough's full spatial needs for non-residential use, the latter due to a combination of inadequate protective policy and map designations, and active encouragement to develop counter to those needs.

It is not within our capability to do a comprehensive assessment of the type that Southwark should have (but have failed to) carry out, but our crude review suggests that the scope of non-residential accommodation required far exceeds what this proposed plan allows for, allocates and protects.

We ask that our first 6 objections below, and the NPPF and London Plan policies we highlight as indicators of unsoundness, be taken also as evidence to justify all the other objections we have made, each to components of the overall picture of accommodation supply for non-residential uses that the plan

has failed to ensure will be adequate.

Objection 1.

We object to failure to objectively assess and define the business and other development needs of Southwark, and failure to ensure that the Local Plan is based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area.

We note, for example, that the Southwark High Street Survey 2015 concentrated on frontage retail, only considered 8 high streets within the confines of town centre boundaries, and the survey of people focused on shopping rather than the full range of activities, so the exercise was far from comprehensive. Likewise the only other broad review of high street settings was the Southwark Retail Study which concentrated on A class uses and commercial leisure, and only considered 14 designated town centres, thus ignoring around half of the borough's high streets. In a similar spirit the Southwark Industrial and Warehousing Land Study only took note of sites identified and recommended for protection as industrial land by the 2010 Employment Land Study, being the SPIL and LSIS, ignoring industrial and hybrid B class space, and indeed office / studio accommodation, in numerous non designated industrial sites, in high street settings and elsewhere scattered in predominantly residential areas. Most recently the Southwark Employment Land Review focused only on B class uses, disregarding a vast array of other employment generating uses, and it only considered the employment cluster areas highlighted in a 2009 study by URS, and relied on cursory reviews of areas, predominantly desk based, rather than systematic surveys. Thus the evidence base is woefully incomplete, sketchy and fractured.

[NPPF para 14](#) requires Local Plans to meet objectively assessed needs.

[NPPF para 17](#) requires that every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. It requires that plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities;

[NPPF para 158](#) regarding using a proportionate evidence base requires that each local planning authority should ensure that the Local Plan is based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area. The paragraph also requires local planning authorities to ensure that their assessment of and strategies for housing, employment and other uses are integrated, and that they take full account of relevant market and economic signals.

[NPPF para 160](#), under the heading Business, requires local planning

authorities to have a clear understanding of business needs within the economic markets operating in and across their area.

[NPPF para 23](#) requires planning policies to meet needs for retail, leisure, office and other main town centre uses in full, un-compromised by limited site availability, and to ensure this local planning authorities should undertake an assessment of the need to expand town centres to ensure a sufficient supply of suitable sites.

Objection 2.

We object to failure to meet the business and other development needs of Southwark. This failure is substantial and is likely to cause extensive damage to the existing economy and to constrict growth.

There appears to have been no attempt to assess current and future accommodation needs in a systematic and holistic way, there is no indication that evidence from work such as that undertaken by the GLA on industrial accommodation demand and supply, and on high streets, has been coherently considered alongside work carried out for Southwark, in order to achieve such an assessment, and no evidence has been offered of a proper mapping and quantum assessment to understand the scale of accommodation need in relation to what currently exists, nor to check against the potential consequences of the policies, map designations and allocations set out in the NSP. It is particularly troubling that many of the recommendations made in reports that are within the evidence base have been ignored without explanation, resulting in a dramatic increase in the loss of capacity for economic and civic activity that the NSP would allow.

[NPPF para 14](#) requires Local Plans to meet objectively assessed needs.

[NPPF para 17](#), under the heading Core planning principles, states that one of the 12 core land-use planning principles is that planning should proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Requiring that every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. Requiring that plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities;

[NPPF para 19](#) states that planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.

[NPPF para 20](#) requires that to help achieve economic growth, local planning

authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century.

NPPF para 21 requires local planning authorities to support existing business sectors, taking account of whether they are expanding or contracting and, where possible, identify and plan for new or emerging sectors likely to locate in their area. Also to plan positively for the location, promotion and expansion of clusters or networks of knowledge driven, creative or high technology industries, and set criteria, or identify strategic sites, for local and inward investment to match the strategy and to meet anticipated needs over the plan period. Para 21 also instructs that investment in business should not be overburdened by the combined requirements of planning policy expectations.

NPPF para 152 requires local planning authorities to seek opportunities to achieve each of the economic, social and environmental dimensions of sustainable development, and net gains across all three. Significant adverse impacts on any of these dimensions should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued.

NPPF para 37 requires that planning policies should aim for a balance of land uses within their area so that people can be encouraged to minimise journey lengths for employment, shopping, leisure, education and other activities.

NPPF para 161 states that local planning authorities must use the evidence base referred to in para 160 to assess: the needs for land or floorspace for economic development (being development, including those within the B Use Classes, public and community uses and main town centre uses, but excluding housing development), including both the quantitative and qualitative needs for all foreseeable types of economic activity over the plan period, including for retail and leisure development; the existing and future supply of land available for economic development and its sufficiency and suitability to meet the identified needs.

NPPF para 6 states that the purpose of the planning system is to contribute to the achievement of sustainable development, including through an economic role, contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements.

NPPF para 70 makes clear that to deliver the social, recreational and cultural facilities and services the community needs, planning policies should ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.

London Plan Policy GG5 regarding growing a good economy requires that those involved in planning and development should plan for sufficient employment and industrial space in the right locations to support economic

development and regeneration.

[NPPF para 23](#) requires planning policies to meet needs for retail, leisure, office and other main town centre uses in full, un-compromised by limited site availability, and to ensure this local planning authorities should undertake an assessment of the need to expand town centres to ensure a sufficient supply of suitable sites.

[London Plan para 6.2.1](#) emphasises that smaller occupiers and creative businesses are particularly vulnerable and sensitive to even small fluctuations in costs. Hence it is stated that to deliver a diverse economy, it is important that cost pressures do not squeeze out smaller businesses, particularly from fringe locations around central London, but also across the capital as a whole, and that ensuring a sufficient supply of business space of different types and sizes will help to ensure that workspace is available for occupation at an appropriate range of rents reflecting the specification, quality and location of the space.

[London Plan para 6.2.4](#) requires that where there there is demand for workspace or viable existing business uses on site, development proposals for alternative uses should deliver an equivalent amount of workspace through the intensification or reconfiguration of space. Part B.3 of the policy applies in exceptional circumstances, where it can be demonstrated that it is not feasible to accommodate replacement workspace and existing businesses on-site through intensification or reconfiguration. What constitutes a reasonable proximity should be determined on the circumstances of each case having regard to the impact on business supply chains and access to labour supply. Relocation arrangements should be put in place prior to the commencement of development to ensure that disruption to existing businesses is minimised.

Objection 3.

We object to failure to ensure that the assessment of, and strategies for housing, employment and other uses are integrated, and failure to take full account of relevant market and economic signals. There has been a failure also to achieve a balance of land uses so that people can be encouraged to minimise journey lengths for employment, shopping, leisure, education and other activities.

[NPPF para 70](#) makes clear that to deliver the social, recreational and cultural facilities and services the community needs, planning policies should ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.

[NPPF para 154](#) states that Local Plans should set out clear policies on what will or will not be permitted and where.

[London Plan para 6.7.6](#) explains that collaborative working between the Mayor, boroughs and other stakeholders on Development Plan reviews,

planning frameworks and masterplans provide useful mechanisms to co-ordinate these processes. This should ensure that the need to maintain sufficient capacity for industry to service London's economy and residents is considered alongside other planning objectives including delivery of strategic infrastructure, housing, social infrastructure and other uses.

Objection 4.

We object to failure to be aspirational but realistic, and to pay careful attention to viability and costs in plan-making and decision-taking, and define a plan that is deliverable.

There is no sign in the evidence base of any testing of viability of the huge quantity of development expected to include a mix of B class accommodation, office, hybrid business space, and industrial, with residential. This lack raises substantial deliverability concerns as the development types relied upon are relatively untested, indeed examples of them have to date not been delivered in Southwark.

[NPPF para 154](#) states that Local Plans should be aspirational but realistic

[NPPF para 173](#) regarding ensuring viability and deliverability, states that pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking. Plans should be deliverable. Therefore, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.

Objection 5.

We object to failure to carry out early and meaningful engagement and collaboration with (amongst others) businesses during NSP preparation so that, as far as possible, the plan reflects a collective vision and a set of agreed priorities for the sustainable development of the area. Engagement with enterprise has been minimal such that it is not possible to claim that the NSP reflects a collective vision.

[NPPF para 160](#), under the heading Business, requires local planning authorities, in order to achieve a clear understanding of business needs within the economic markets operating in and across their area, to work closely with

the business community to understand their changing needs and identify and address barriers to investment, including a lack of housing, infrastructure or viability.

[NPPF para 155](#) requires early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses is essential. It suggests that a wide section of the community should be proactively engaged, so that Local Plans, as far as possible, reflect a collective vision and a set of agreed priorities for the sustainable development of the area.

[London Plan para 6.7.6](#) explains that collaborative working between the Mayor, boroughs and other stakeholders on Development Plan reviews, planning frameworks and masterplans provide useful mechanisms to co-ordinate these processes. This should ensure that the need to maintain sufficient capacity for industry to service London's economy and residents is considered alongside other planning objectives including delivery of strategic infrastructure, housing, social infrastructure and other uses.

Objection 6.

We object to failure to effectively cooperate with neighbouring authorities to plan for issues with cross-boundary impacts, working together to meet development requirements which cannot wholly be met within Southwark, for instance because of a lack of physical capacity. There is no clear evidence of cooperation with other authorities to consider how to meet the accommodation needs of economic and civic activity.

[NPPF para 157](#) requires that Local Plans should be based on co-operation with neighbouring authorities, public, voluntary and private sector organisations;

[NPPF para 160](#), under the heading Business, requires local planning authorities, in order to achieve a clear understanding of business needs within the economic markets operating in and across their area, to work together with regional and neighbouring authorities to prepare and maintain a robust evidence base to understand both existing business needs and likely changes in the market.

[NPPF para 178](#) makes clear that public bodies have a duty to cooperate on planning issues that cross administrative boundaries and that the Government expects joint working on areas of common interest to be diligently undertaken for the mutual benefit of neighbouring authorities.

[NPPF para 179](#) requires that local planning authorities should work collaboratively with other bodies to ensure that strategic priorities across local boundaries are properly co-ordinated and clearly reflected in individual Local Plans. Joint working should enable local planning authorities to work together to meet development requirements which cannot wholly be met within their own areas – for instance, because of a lack of physical capacity

[NPPF para 181](#) requires that local planning authorities will be expected

to demonstrate evidence of having effectively cooperated to plan for issues with cross-boundary impacts when their Local Plans are submitted for examination.

Objections to policies in the *Strong, local economy* chapter

P25: Strategic protected industrial land

Objection 7.

We object to the insufficient extent of industrial land designation across Southwark through SPIL and LSIS. We challenge the proposal to reduce such protective designation by some 57ha (that would reduce the borough total from 85ha to 28ha, a dramatic 67% shrinkage) coupled with the failure to designate any new sites for industrial use through SPIL or LSIS designation, the failure to set out requirements for replacement industrial accommodation on allocated sites, and the failure to require, through other NSP policies, the retention or replacement of industrial accommodation on Non-Designated Industrial Sites.

While the P25 Reasons text correctly states that Southwark is an important location for industrial servicing to central London and accommodates a wide range of industrial businesses, the extent of industrial land designated for protection, in combination with site allocations and other NSP policies, fails to match this recognition of importance, would likely cause severe shortage of industrial accommodation and thus displacement and / or constriction of a significant part of the borough's economy.

We have reviewed and roughly mapped the extent of industrial land in the borough today, noting that it is predominantly occupied. We believe that it totals around **120ha**.

Across the borough only 5 industrial sites are proposed as SPIL (all of which have the same designation in the current Southwark Local Plan). The NSP proposes to remove SPIL designation from 10 industrial sites, redesignating each of them for mixed-use development without any policy requirement that replacement B class space be industrial of similar quantum and type as existing, nor indeed requiring any replacement of industrial accommodation. There are also site allocations for a further 22 currently industrial sites, the majority of which are proposed for mixed-use redevelopment without any policy requirement that replacement B class space be industrial of similar quantum and type as existing, nor requiring any replacement of industrial accommodation. At least another 45 small undesignated industrial sites have no site allocations, and nothing in proposed NSP policy would prevent their redevelopment without any replacement industrial accommodation.

The hectarage, roughly measured, adds up as follows:

1. Proposed area of SPIL, substantially reduced from the extent designated in the current Southwark Local Plan, 2016 updated map, totalling just under **28ha**
2. Current areas of SPIL and LSIS (as protected in the current Southwark Local Plan, 2016 updated map) that are included within NSP site allocations, with no requirement to replace industrial accommodation, totalling **57ha**
3. No new areas of designated industrial land are proposed.
4. Currently undesignated industrial areas that are included within NSP site allocations, with no requirement to replace industrial accommodation, totalling **21ha**
5. Currently undesignated small industrial sites that have no NSP site allocation covering them, and there is no NSP policy requiring replacement of industrial should redevelopment be proposed, add up to **16ha**

Taking 120ha as the rough current land extent of industrial in the borough, the combination of a reduction to 28ha of SPIL, the lack of new designations, and the lack of policies clearly requiring retention or re-provision of industrial space on sites where it currently exists, if re-developed, a worst case scale of industrial accommodation loss that would be allowed by the NSP as submitted would be **92ha**, which is **77%** of the current borough total.

This dramatically conflicts with London Plan policy and disregards the requirements of the NPPF.

So, the NSP as proposed for submission affords no clear protection to around 94ha extent of industrial accommodation, 77% of the borough's total, and it neither requires reprovision through the process of redevelopment nor gives clear indication of the scale and geography of industrial intensification, co-location and substitution required in the borough.

Thus the NSP does not accord with the spirit of the draft London Plan Policy E4 para C that places Southwark in the 'retain capacity' category.

[NPPF para 14](#) requires Local Plans to meet objectively assessed needs.

[London Plan Policy GG5](#) regarding growing a good economy requires that those involved in planning and development should plan for sufficient employment and industrial space in the right locations to support economic development and regeneration.

[London Plan policy E4](#) requires that a sufficient supply of land and premises to meet current and future demands for industrial and related

functions should be maintained. The policy requires that the retention and provision of industrial capacity across SIL, LSIS and Non-Designated Industrial Sites should be planned, monitored and managed, having regard to the industrial property market area and borough-level categorisations. Southwark is in the 'Retain' category requiring that they should seek to intensify industrial floorspace capacity. Southwark is included in the Central Services Area, where particular recognition is given to the need to provide essential services to the CAZ and in particular sustainable 'last mile' distribution/logistics, 'just-in-time' servicing (such as food service activities, printing, administrative and support services, office supplies, repair and maintenance), waste management and recycling, and land to support transport functions.

[London Plan para 6.4.1](#) explains that London depends on a wide range of industrial, logistics and related uses that are essential to the functioning of its economy and for servicing the needs of its growing population, as well as contributing towards employment opportunities for Londoners. This includes a diverse range of activities such as food and drink preparation, creative industry production and maker spaces, vehicle maintenance and repair, building trades, construction, waste recycling, transport functions, utilities infrastructure, emerging activities (such as data centres, renewable energy generation and clean technology) and an efficient storage and distribution system which can respond to business and consumer demands.

[London Plan para 6.4.4](#) outlines evidence that London faces industrial land shortage of several hundred hectares.

[NPPF para 157](#) requires that Local Plans should Indicate land-use designations on a proposals map.

[NPPF para 157](#) states that Local Plans should identify areas where it may be necessary to limit freedom to change the uses of buildings, and support such restrictions with a clear explanation.

[NPPF para 6](#) requires the planning system to contribute to the achievement of sustainable development, including through an economic role, contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements.

[London Plan para 6.5.2](#) requires that SIL be complemented by smaller-scale provision in LSIS and Non-Designated Industrial Sites including sustainable 'last mile' distribution close to central London.

[London Plan Policy E5](#) about Strategic Industrial Locations (SIL) requires boroughs to manage SILs proactively through a plan-led process to sustain them as London's main reservoirs of industrial, logistics and related capacity for uses that support the functioning of London's economy, and to develop local policies to protect and intensify the function of SILs and enhance their

attractiveness and competitiveness, and explore opportunities to intensify and make more efficient use of land in SILs.

London Plan para 6.5.1 and 6.5.2 state that SILs are given strategic protection because they are critical to the effective functioning of London's economy, important in supporting strategic logistics operations serving the capital as well as providing relatively low-cost industrial space for SMEs.

London Plan para 6.5.3 requires that innovations to make more effective use of land in SILs should be explored in Local Plan reviews.

Objection 8.

We object to the failure to designate the following currently industrial sites as protected industrial, and the inclusion of most within site allocations that require no replacement of industrial capacity. In order to improve NSP soundness in relation to NPPF and London Plan requirements we suggest all of these as SPIL / LSIS designations.

1. Railway viaduct and associated accommodation at NSP10 (Biscuit Factory and Campus)
2. Railway viaduct and associated accommodation between SPIL1 and NSP13
3. Railway viaduct and associated accommodation west of SP13, as far as Tower Bridge Road
4. Western part of NSP56 (Crimscott Street and Page's Walk)
5. Most of NSP66 (Marlborough Street and St James's Road)
6. Northern portion of NSP67 (Sandgate Street and Verney Road)
7. NSP69 (Hatcham Road and Penarth Street)
8. Part of NSP70 (Ilderton Road)
9. Part of NSP65 (Land bounded by Glengall Road, Latona Roads and Old Kent Road)
10. Part of NSP23 (Burgess Business Park)
11. NSP28, 26, 27, 22 (Camberwell sites) and railway viaduct and associated accommodation from there northwards as far as Borough Road
12. Railway viaduct and associated accommodation either side and eastwards from Great Suffolk Street
13. NSP39 and adjoining part of NSP40 (East Dulwich sites)
14. Railway viaduct and associated accommodation between OKR and Queens Road Peckham
15. PNAAP2 (Print Village) and railway viaduct and associated accommodation running eastwards through Peckham and as far as Kirkwood Road
16. Remaining industrial accommodation north of Spa Road
And 30 other small areas (not listed here, but a map can be provided) that are currently industrial and we have identified as suitable for designation, each being modest settings where the likely disruption to businesses and the potential reduction in capacity outweighs the modest scope for residential development, and where delivery of mixed schemes including replacement

industrial space would be challenging or impossible.

[NPPF para 14](#) requires Local Plans to meet objectively assessed needs.

[London Plan Policy 9.9.2](#) states that any waste site release should only be released to other land uses where waste processing capacity is re-provided elsewhere within London, based on the maximum achievable throughput of the site proposed to be lost.

[London Plan para 9.8.8](#) requires that large-scale redevelopment opportunities and redevelopment proposals should incorporate waste management facilities within them. To meet this requirement references should be made to the requirement to retain and to incorporate in the site allocation policies for sites including NSP67, NSP89, NSP68.

[NPPF para 6](#) requires the planning system to contribute to the achievement of sustainable development, including through an economic role, contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements.

[London Plan policy E4](#) requires that overall terms across London there is no net loss of industrial floorspace capacity (and operational yard space capacity) within designated SIL and LSIS, and that any release of industrial land should be facilitated through the processes of industrial intensification, co-location and substitution.

[London Plan para 6.5.2](#) requires that SIL be complemented by smaller-scale provision in LSIS and Non-Designated Industrial Sites including sustainable 'last mile' distribution close to central London.

[London Plan Policy E5](#) about Strategic Industrial Locations (SIL) requires boroughs to manage SILs proactively through a plan-led process to sustain them as London's main reservoirs of industrial, logistics and related capacity for uses that support the functioning of London's economy, and to develop local policies to protect and intensify the function of SILs and enhance their attractiveness and competitiveness, and explore opportunities to intensify and make more efficient use of land in SILs.

[London Plan para 6.5.1 and 6.5.2](#) state that SILs are given strategic protection because they are critical to the effective functioning of London's economy, important in supporting strategic logistics operations serving the capital as well as providing relatively low-cost industrial space for SMEs.

[London Plan para 6.5.3](#) requires that innovations to make more effective use of land in SILs should be explored in Local Plan reviews.

Objection 9.

We object to the failure to designate any new sites as protected industrial, even though this is clearly possible, and the lack of any explanation for this omission. In order to improve NSP soundness in relation to NPPF and London Plan requirements we suggest the following areas, that are not currently industrial, for possible additional SPIL / LSIS designations.

1. Part of NSP65 (Land bounded by Glengall Road, Latona Roads and Old Kent Road)
2. Part of NSP81 (Decathlon Site etc) and / or NSP82 (Harmsworth Quays etc)
3. NSP79 (Rotherhithe Gasometer)
4. Part of Dog Kennel Hill Sainsbury's site

[NPPF para 14](#) requires Local Plans to meet objectively assessed needs.

[London Plan policy E4](#) requires that overall terms across London there is no net loss of industrial floorspace capacity (and operational yard space capacity) within designated SIL and LSIS, and that any release of industrial land should be facilitated through the processes of industrial intensification, co-location and substitution.

[London Plan para 6.5.2](#) requires that SIL be complemented by smaller-scale provision in LSIS and Non-Designated Industrial Sites including sustainable 'last mile' distribution close to central London.

Objection 10.

We object to the failure to define requirements for industrial accommodation within mixed-development on the following sites that are currently SPIL and LSIS. In order to improve NSP soundness in relation to NPPF and London Plan requirements we suggest that the site allocation policies for each of these be revised to include requirements for a defined minimum quantum of industrial accommodation.

- NSP10 (Biscuit Factory and Campus) railway viaducts currently SPIL
- NSP57 (Mandela Way)
- NSP56 (Crimscott + Page's Walk)
- NSP66 (Marlborough Grove and St James's Road)
- NSP67 (Sandgate Street and Verney Road)
- NSP69 (Hatcham Road and Penarth Street)
- NSP70 (Ilderton Road)
- NSP68 (Devon Street and Sylvan Grove)
- NSP65 (Land bounded by Glengall Road, Latona Roads and Old Kent Road)
- NSP23 (Burgess Business Park)

[NPPF para 14](#) requires Local Plans to meet objectively assessed needs.

[London Plan para 6.2.1](#) emphasises that smaller occupiers and creative businesses are particularly vulnerable and sensitive to even small fluctuations

in costs. Hence it is stated that to deliver a diverse economy, it is important that cost pressures do not squeeze out smaller businesses, particularly from fringe locations around central London, but also across the capital as a whole, and that ensuring a sufficient supply of business space of different types and sizes will help to ensure that workspace is available for occupation at an appropriate range of rents reflecting the specification, quality and location of the space.

[London Plan para 6.2.4](#) requires that where there is demand for workspace or viable existing business uses on site, development proposals for alternative uses should deliver an equivalent amount of workspace through the intensification or reconfiguration of space. Part B.3 of the policy applies in exceptional circumstances, where it can be demonstrated that it is not feasible to accommodate replacement workspace and existing businesses on-site through intensification or reconfiguration. What constitutes a reasonable proximity should be determined on the circumstances of each case having regard to the impact on business supply chains and access to labour supply. Relocation arrangements should be put in place prior to the commencement of development to ensure that disruption to existing businesses is minimised.

[London Plan Policy E2](#) regarding low-cost business space requires that the provision, and where appropriate, protection of a range of low-cost B1 business space should be supported to meet the needs of micro, small and medium-sized enterprises and to support firms wishing to start-up or expand. Hence development proposals that involve the loss of existing B1 space in areas where there is an identified shortage of lower-cost space should demonstrate that there is no reasonable prospect of the site being used for business purposes, or ensure that an equivalent amount of B1 space is re-provided in the proposal (which is appropriate in terms of type, specification, use and size), incorporating existing businesses where possible, or demonstrate that suitable alternative accommodation (in terms of type, specification, use and size) is available in reasonable proximity to the development proposal and, where existing businesses are affected, that they are subject to relocation support arrangements before the commencement of new development.

Objection 11.

We object to the failure to define requirements for industrial accommodation within mixed-development site allocations for the following Non-Designated industrial Sites. In order to improve NSP soundness in relation to NPPF and London Plan requirements we suggest that the allocation policies for each be revised to include requirements for a defined minimum quantum of industrial accommodation.

NSP10 (Biscuit Factory and Campus) parts other than railway viaducts

NSP11 (Tower Workshops)

NSP13 (Old Jamaica Road Business Estate)

NSP22 (Camberwell Station)

NSP25 (Valmar Trading Estate)
NSP26 (Camberwell Bus Garage)
NSP27 (Abellio Bus Garage)
NSP28 (Land Between Camberwell Station Road and Warner Road)
NSP30 (49 Lomond Grove)
NSP31 (99 Lomond Grove)
NSP37 (Kwik Fit etc)
NSP39 (Railway Rise)
NSP41 (Goose Green Trading Estate)
NSP43 (Bakerloo Line Sidings etc)
NSP44 (63-85 Newington Causeway)
NSP50 (Bath Trading Estate)
NSP64 (Former Southern Railway Stables)
NSP71 (Toys R Us Site)
NSP73 (Kwikfit Garage)
NSP74 (636 Old Kent Road)
NSP77 (East of Rye Lane including railway arches)
NSP82 (Harmsworth Quays etc)

[NPPF para 14](#) requires Local Plans to meet objectively assessed needs.

[London Plan para 6.2.1](#) emphasises that smaller occupiers and creative businesses are particularly vulnerable and sensitive to even small fluctuations in costs. Hence it is stated that to deliver a diverse economy, it is important that cost pressures do not squeeze out smaller businesses, particularly from fringe locations around central London, but also across the capital as a whole, and that ensuring a sufficient supply of business space of different types and sizes will help to ensure that workspace is available for occupation at an appropriate range of rents reflecting the specification, quality and location of the space.

[London Plan para 6.2.4](#) requires that where there there is demand for workspace or viable existing business uses on site, development proposals for alternative uses should deliver an equivalent amount of workspace through the intensification or reconfiguration of space. Part B.3 of the policy applies in exceptional circumstances, where it can be demonstrated that it is not feasible to accommodate replacement workspace and existing businesses on-site through intensification or reconfiguration. What constitutes a reasonable proximity should be determined on the circumstances of each case having regard to the impact on business supply chains and access to labour supply. Relocation arrangements should be put in place prior to the commencement of development to ensure that disruption to existing businesses is minimised.

[London Plan Policy E2](#) regarding low-cost business space requires that the provision, and where appropriate, protection of a range of low-cost B1 business space should be supported to meet the needs of micro, small and medium-sized enterprises and to support firms wishing to start-up or expand. Hence development proposals that involve the loss of existing B1 space in areas where there is an identified shortage of lower-cost space should demonstrate that there is no reasonable prospect of the site

being used for business purposes, or ensure that an equivalent amount of B1 space is re-provided in the proposal (which is appropriate in terms of type, specification, use and size), incorporating existing businesses where possible, or demonstrate that suitable alternative accommodation (in terms of type, specification, use and size) is available in reasonable proximity to the development proposal and, where existing businesses are affected, that they are subject to relocation support arrangements before the commencement of new development.

Objection 12.

We object to the failure to define any requirement for industrial accommodation within mixed-development on the following allocated sites where there is clear potential to incorporate such uses. In order to improve NSP soundness in relation to NPPF and London Plan requirements we suggest that the allocation policies for each be revised to include requirements for a defined minimum quantum of industrial accommodation.

NSP40 (Dulwich Community Hospital)
NSP75 (Aylesham Centre etc)
NSP32 (123 Grove Park)
AAP (Aylesbury Action Area) sites not already built
NSP79 (Rotherhithe Gasometer)
NSP12 (Chambers Wharf)
NSP 44 (Newington Causeway)
NSP42 (Newington Triangle)
NSP82 (Harmsworth Quays etc)
NSP81 (Decathlon Site etc)
PNAAP19
PNAAP16
PNAAP9

[NPPF para 14](#) requires Local Plans to meet objectively assessed needs.

[London Plan para 6.2.1](#) emphasises that smaller occupiers and creative businesses are particularly vulnerable and sensitive to even small fluctuations in costs. Hence it is stated that to deliver a diverse economy, it is important that cost pressures do not squeeze out smaller businesses, particularly from fringe locations around central London, but also across the capital as a whole, and that ensuring a sufficient supply of business space of different types and sizes will help to ensure that workspace is available for occupation at an appropriate range of rents reflecting the specification, quality and location of the space.

[London Plan para 6.2.4](#) requires that where there is demand for workspace or viable existing business uses on site, development proposals for alternative uses should deliver an equivalent amount of workspace through the intensification or reconfiguration of space. Part B.3 of the policy applies in exceptional circumstances, where it can be demonstrated that it is not feasible

to accommodate replacement workspace and existing businesses on-site through intensification or reconfiguration. What constitutes a reasonable proximity should be determined on the circumstances of each case having regard to the impact on business supply chains and access to labour supply. Relocation arrangements should be put in place prior to the commencement of development to ensure that disruption to existing businesses is minimised.

[London Plan Policy E2](#) regarding low-cost business space requires that the provision, and where appropriate, protection of a range of low-cost B1 business space should be supported to meet the needs of micro, small and medium-sized enterprises and to support firms wishing to start-up or expand. Hence development proposals that involve the loss of existing B1 space in areas where there is an identified shortage of lower-cost space should demonstrate that there is no reasonable prospect of the site being used for business purposes, or ensure that an equivalent amount of B1 space is re-provided in the proposal (which is appropriate in terms of type, specification, use and size), incorporating existing businesses where possible, or demonstrate that suitable alternative accommodation (in terms of type, specification, use and size) is available in reasonable proximity to the development proposal and, where existing businesses are affected, that they are subject to relocation support arrangements before the commencement of new development.

Objection 13.

We object to failure to make site allocations for the following sites that could, if development came forward, offer potential to incorporate industrial accommodation as part of mixed development. In order to improve NSP soundness in relation to NPPF and London Plan requirements we suggest that these sites be allocated, with policies for each that include requirements for a defined minimum quantum of industrial accommodation.

Sainsbury's site at Dog Kennel Hill
Tustin Estate
Ledbury Estate

[NPPF para 14](#) requires Local Plans to meet objectively assessed needs.

Objection 14.

We object to the failure to justify reduction of SPIL designated industrial land, and the deletion of all LSIS designations, and the lack of any evidence that compensatory capacity can realistically be provided through intensification.

The P25 Reasons para states that the proposed 27.6ha of SPIL present opportunities to grow and intensify industrial uses as well as accommodating specific types of industry that are unable to be accommodated within mixed

use developments. This is all true, but the problem is that the 27.6ha area is clearly insufficient to accommodate the demand, even only from existing businesses in the area, a problem that is magnified because the SPIL areas suggested are not the best suited to intensification of accommodation as they are severely constrained by railway viaducts, utilities infrastructure and waste management facilities. There is scope for intensification in these areas, but only limited, and there is no realistic prospect of intensification in these areas being able to replace the capacity lost from areas removed from SIL and LSIS in order to achieve the London Plan nil nett loss requirement, nor to adequately provide for the specific types of industry that are unable to be accommodated within mixed use developments.

[NPPF para 14](#) requires Local Plans to meet objectively assessed needs.

[London Plan Policy E5](#) about Strategic Industrial Locations (SIL) requires boroughs to manage SILs proactively through a plan-led process to sustain them as London's main reservoirs of industrial, logistics and related capacity for uses that support the functioning of London's economy, and to develop local policies to protect and intensify the function of SILs and enhance their attractiveness and competitiveness, and explore opportunities to intensify and make more efficient use of land in SILs.

[London Plan para 6.5.1 and 6.5.2](#) state that SILs are given strategic protection because they are critical to the effective functioning of London's economy, important in supporting strategic logistics operations serving the capital as well as providing relatively low-cost industrial space for SMEs.

[London Plan para 6.5.3](#) requires that innovations to make more effective use of land in SILs should be explored in Local Plan reviews.

[London Plan para 6.2.1](#) emphasises that smaller occupiers and creative businesses are particularly vulnerable and sensitive to even small fluctuations in costs. Hence it is stated that to deliver a diverse economy, it is important that cost pressures do not squeeze out smaller businesses, particularly from fringe locations around central London, but also across the capital as a whole, and that ensuring a sufficient supply of business space of different types and sizes will help to ensure that workspace is available for occupation at an appropriate range of rents reflecting the specification, quality and location of the space.

[London Plan para 6.2.4](#) requires that where there is demand for workspace or viable existing business uses on site, development proposals for alternative uses should deliver an equivalent amount of workspace through the intensification or reconfiguration of space. Part B.3 of the policy applies in exceptional circumstances, where it can be demonstrated that it is not feasible to accommodate replacement workspace and existing businesses on-site through intensification or reconfiguration. What constitutes a reasonable proximity should be determined on the circumstances of each case having regard to the impact on business supply chains and access to labour supply. Relocation arrangements should be put in place prior to the commencement

of development to ensure that disruption to existing businesses is minimised.

Objection 15.

We object to failure to indicate the site of the Integrated Waste Management Facility as SPIL, even though the P25 Reasons para states that it is SPIL. This inconsistency should be corrected by including the relevant area as SPIL on the map.

The fact that there are other Waste Management Facilities in existing industrial areas, most notably in areas currently designated as SPIL, appears to have been disregarded when reviewing the boundaries of designated industrial.

[NPPF para 14](#) requires Local Plans to meet objectively assessed needs.

Objection 16.

We object to P25 point 3 and the part of the Reasons para that suggest the possibility of removing SPIL designation from the Integrated Waste Management Facility. There is no realistic prospect of the need for waste management facilities in Southwark dramatically reducing, and even if that was not the case that would not justify deletion from SPIL. The research and analysis that underpins the GLA nil nett loss policy, including the placing of Southwark in the Retain category, factored in predictions for accommodation requirement changes across all sectors of the industrial economy. It is the overall anticipated requirement that demands the nil nett loss policy, the likely occurrence of localised variation in demand from particular sectors having already been factored in.

[NPPF para 14](#) requires Local Plans to meet objectively assessed needs.

Objection 17.

We object to the abandonment of Locally Significant Industrial Sites policies and site designations, for which no justification has been given. As P25 is the only NSP policy about protection of industrial land for principally industrial use we have included here our objection to the lack of policies and associated map designations protecting LSIS, this being a change from the previous Southwark Local Plan. No coherent explanation has been offered as to why this aspect of policy has been deleted, and no assessment of the affect on capacity in relation to demand has been carried out. We suggest that in order to achieve soundness, as part of efforts to ensure sufficient industrial capacity, LSIS policies should be reintroduced, and there should be comprehensive designation of all identifiable industrial land in the borough as either SIL, LSIS or site allocation (with clear policy on requirements to retain and / or replace capacity).

[NPPF para 14](#) requires Local Plans to meet objectively assessed needs.

[London Plan para 6.2.1](#) emphasises that smaller occupiers and creative businesses are particularly vulnerable and sensitive to even small fluctuations in costs. Hence it is stated that to deliver a diverse economy, it is important that cost pressures do not squeeze out smaller businesses, particularly from fringe locations around central London, but also across the capital as a whole, and that ensuring a sufficient supply of business space of different types and sizes will help to ensure that workspace is available for occupation at an appropriate range of rents reflecting the specification, quality and location of the space.

[London Plan para 6.2.4](#) requires that where there is demand for workspace or viable existing business uses on site, development proposals for alternative uses should deliver an equivalent amount of workspace through the intensification or reconfiguration of space. Part B.3 of the policy applies in exceptional circumstances, where it can be demonstrated that it is not feasible to accommodate replacement workspace and existing businesses on-site through intensification or reconfiguration. What constitutes a reasonable proximity should be determined on the circumstances of each case having regard to the impact on business supply chains and access to labour supply. Relocation arrangements should be put in place prior to the commencement of development to ensure that disruption to existing businesses is minimised.

Objection 18.

We object to failure to identify and protect sufficient capacity for industry and logistics within or close to the CAZ to support the needs of businesses and activities within that area, as the London Plan requires. The NSP as proposed would allow a dramatic reduction in such capacity since it provides no protection for the industrial capacity within the CAZ areas of Southwark, it reduces the extent of protected industrial land close to the CAZ (all current Southwark SPIL and LSIS is within 3km of the CAZ), it sets no requirement for retention or replacement of industrial capacity on allocated sites where there currently industrial premises, nor does it require creation of any industrial in locations close to CAZ where it is not currently present.

[London Plan Policy SD4](#) regarding the Central Activities Zone (CAZ) states that sufficient capacity for industry and logistics should be identified and protected, including last mile distribution, freight consolidation and other related service functions within or close to the CAZ and Northern Isle of Dogs to support the needs of businesses and activities within these areas.

[NPPF para 14](#) requires Local Plans to meet objectively assessed needs.

Objection 19.

We object to the failure to ensure that there will be no nett loss of industrial floorspace capacity within the OKR Opportunity Area and the lack of any demonstration that intensification of industrial accommodation can realistically be expected to provide space for businesses that would be displaced from areas where it is proposed to remove designation.

[NPPF para 14](#) requires Local Plans to meet objectively assessed needs.

[London Plan para 2.1.14](#) about the Old Kent Road OA makes clear that the area contains the last remaining significant areas of Strategic Industrial Locations that lie in close proximity to the CAZ and the only SILs within Southwark. The policy requires Southwark to plan for no net loss of industrial floorspace capacity and to set out how industrial land can be intensified and provide space for businesses that need to relocate from any SIL identified for release. Areas that are released from SIL should seek to co-locate housing with industrial uses, or a wider range of commercial uses within designated town centres.

[London Plan para 2.1.14](#) about the Old Kent Road OA requires that workspace for the existing creative industries should be protected and supported.

[London Plan para 6.2.1](#) emphasises that smaller occupiers and creative businesses are particularly vulnerable and sensitive to even small fluctuations in costs. Hence it is stated that to deliver a diverse economy, it is important that cost pressures do not squeeze out smaller businesses, particularly from fringe locations around central London, but also across the capital as a whole, and that ensuring a sufficient supply of business space of different types and sizes will help to ensure that workspace is available for occupation at an appropriate range of rents reflecting the specification, quality and location of the space.

[London Plan para 6.2.4](#) requires that where there there is demand for workspace or viable existing business uses on site, development proposals for alternative uses should deliver an equivalent amount of workspace through the intensification or reconfiguration of space. Part B.3 of the policy applies in exceptional circumstances, where it can be demonstrated that it is not feasible to accommodate replacement workspace and existing businesses on-site through intensification or reconfiguration. What constitutes a reasonable proximity should be determined on the circumstances of each case having regard to the impact on business supply chains and access to labour supply. Relocation arrangements should be put in place prior to the commencement of development to ensure that disruption to existing businesses is minimised.

Objection 20.

We object to failure to ensure that workspace for the existing creative industries in the OKR OA will be protected and supported, an objective that

could best be achieved through industrial land designation in combination with clear retain or re-provide requirements for allocated sites, and careful use of conservation area designation and Article 4 Directions to control loss of accommodation through demolition and conversion. The two strongest clusters of creative enterprises in the OKR OA are the Verney, Ilderton and Hatcham industrial areas, and the Ossory, Glengall, Haymerle and Latona industrial areas. These areas are currently SIL, and we suggest that SIL designation should be retained (albeit a reduced extent compared with currently).

[NPPF para 14](#) requires Local Plans to meet objectively assessed needs.

[London Plan para 2.1.14](#) about the Old Kent Road OA requires that workspace for the existing creative industries should be protected and supported.

Objection 21.

We object to the titling of strategic protected industrial as SPIL because it causes needless confusion to title SIL as SPIL in Southwark. The plan should be amended so that all reference to SPIL becomes SIL (Strategic Industrial Land). The title LSIS should be utilised for areas that are not included in the scope of London Plan Table 6.3 that lists SILs, if the GLA insist on that, though the distinction seems academic as all is now of strategic significance due to scarcity and the strategic nil net loss policy.

[London Plan Policy E6](#) requires that in their Development Plans, boroughs should define detailed boundaries and policies for Locally Significant Industrial Sites (LSIS) in policies maps justified by evidence in local employment land reviews.

[London Plan Policy E7](#) makes clear that intensification of business uses in Use Classes B1c, B2 and B8 occupying all categories of industrial land should deliver an increase (or at least no overall net loss) of capacity in terms of industrial, storage and warehousing floorspace with appropriate provision of yard space for servicing. It is further required that when making revision of SIL boundaries to allow alternative development on some areas it should be ensured that the industrial and related activities on-site and in surrounding parts of the SIL, LSIS or Non-Designated Industrial Site are not compromised in terms of their continued efficient function, access, service arrangements and days/hours of operation noting that many businesses have 7-day/24-hour access and operational requirements, and that the intensified industrial, storage and distribution uses can be completed and operational can be in advance of any residential component being occupied.

[London Plan para 6.7.2](#) indicates that the majority of land in SILs should be retained and intensified for industrial-type functions and states that while there may be scope for selected parts of SILs or LSISs to be consolidated, this should be done through a carefully co-ordinated plan-led approach to deliver an intensification of industrial and related uses in the consolidated SIL or LSIS

and facilitate the transfer of some land for a mix of uses including residential.

P26: Office and business development

Objection 22.

We object to the restriction of P26 point 1 to CAZ, town centres, opportunity areas and where specified in site allocations. The policy can work well across Southwark with no location limits, and by making such an amendment NSP soundness will improve.

[London Plan Policy E1](#) regarding offices requires that existing viable office floorspace capacity in outer and inner London locations outside the CAZ and NIOD should be retained, and development proposals should take into account the need for lower cost and affordable workspace. It is emphasised in para 6.1.5 that it is important to ensure that there is sufficient space to support the growth of new start-up companies and to accommodate SMEs, including lower-cost and affordable business space. Thus Development Plans and development proposals should support the provision of space suitable for SMEs in light of strategic and local assessments of demand and supply.

[London Plan Policy E2](#) regarding low-cost business space requires that the provision, and where appropriate, protection of a range of low-cost B1 business space should be supported to meet the needs of micro, small and medium-sized enterprises and to support firms wishing to start-up or expand. Hence development proposals that involve the loss of existing B1 space in areas where there is an identified shortage of lower-cost space should demonstrate that there is no reasonable prospect of the site being used for business purposes, or ensure that an equivalent amount of B1 space is re-provided in the proposal (which is appropriate in terms of type, specification, use and size), incorporating existing businesses where possible, or demonstrate that suitable alternative accommodation (in terms of type, specification, use and size) is available in reasonable proximity to the development proposal and, where existing businesses are affected, that they are subject to relocation support arrangements before the commencement of new development.

Objection 23.

We object to the failure to state that the retain or increase requirement defined in 1.1 will apply to accommodation type, not just to floorspace. Without such a requirement there will be a significant loss of industrial, workshop, studio and workroom accommodation, since this is harder to incorporate in mixed developments, it generally takes up more volume, and yet it commands lower rent / sale values, than office space. This drafting inadequacy would add to the failure of the NSP to plan for the diverse accommodation needs of the

borough's economy, and hence magnify its unsoundness. We suggest that wording could be added to state that development must retain or re-provide a similar mix of accommodation type, paying particular regard to matters including goods access, plan simplicity, floor loading, ceiling heights, natural light, emission management.

[London Plan Policy GG5](#) regarding growing a good economy requires those involved in planning and development should plan for sufficient employment and industrial space in the right locations to support economic development and regeneration.

[NPPF para 14](#) requires Local Plans to meet objectively assessed needs.

[NPPF para 154](#) states that Local Plans should set out clear policies on what will or will not be permitted and where.

[NPPF para 6](#) requires the planning system to contribute to the achievement of sustainable development, including through an economic role, contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements.

[London Plan para 2.1.14](#) about the Old Kent Road OA requires that workspace for the existing creative industries should be protected and supported.

[London Plan Policy SD4](#) regarding the Central Activities Zone (CAZ) requires that the nationally and internationally significant office functions of the CAZ should be supported and enhanced by all stakeholders, including the intensification and provision of sufficient space to meet demand for a range of types and sizes of occupier and rental values.

[London Plan Policy E1](#) regarding offices requires that existing viable office floorspace capacity in outer and inner London locations outside the CAZ and NIOD should be retained, and development proposals should take into account the need for lower cost and affordable workspace. It is emphasised in para 6.1.5 that it is important to ensure that there is sufficient space to support the growth of new start-up companies and to accommodate SMEs, including lower-cost and affordable business space. Thus Development Plans and development proposals should support the provision of space suitable for SMEs in light of strategic and local assessments of demand and supply.

[London Plan Policy E2](#) regarding low-cost business space requires that the provision, and where appropriate, protection of a range of low-cost B1 business space should be supported to meet the needs of micro, small and medium-sized enterprises and to support firms wishing to start-up or expand. Hence development proposals that involve the loss of existing B1 space in areas where there is an identified shortage of lower-cost space should demonstrate that there is no reasonable prospect of the site

being used for business purposes, or ensure that an equivalent amount of B1 space is re-provided in the proposal (which is appropriate in terms of type, specification, use and size), incorporating existing businesses where possible, or demonstrate that suitable alternative accommodation (in terms of type, specification, use and size) is available in reasonable proximity to the development proposal and, where existing businesses are affected, that they are subject to relocation support arrangements before the commencement of new development.

[London Plan Policy E2](#) requires that development proposals for new B1 business floorspace greater than 2,500 sqm (gross external area) should consider the scope to provide a proportion of flexible workspace suitable for micro, small and medium-sized enterprises.

Objection 24.

We object to the retain or increase requirement in P26 1.1 being only related to employment floorspace (GIA) on-site. This would cause a reduction in the provision of industrial accommodation as it does not include operational yard space. The wording should be amended to include operational yard space within the definition of floorspace, not limited to GIA.

[NPPF para 14](#) requires Local Plans to meet objectively assessed needs.

Objection 25.

We object to the wording of P26 point 2 because it allows exceptions to the retain or increase policy without an off-site compensatory requirement. An off-site requirement in such exceptional circumstances is required by the London Plan, and it is essential in order to ensure that the NSP meets its requirement to plan for the future accommodation needs the economy.

[NPPF para 14](#) requires Local Plans to meet objectively assessed needs.

[London Plan Policy SD4](#) regarding the Central Activities Zone (CAZ) requires that the nationally and internationally significant office functions of the CAZ should be supported and enhanced by all stakeholders, including the intensification and provision of sufficient space to meet demand for a range of types and sizes of occupier and rental values.

[London Plan policy SD5](#) regarding offices, other strategic functions and residential developments in the CAZ requires that offices and other CAZ strategic functions are to be given greater weight relative to new residential development in the London Bridge, Borough and Bankside opportunity area. The policy states that mixed-use office/residential proposals are supported in principle in those areas, where there is an equivalent or net increase in office floorspace, however residential development proposals should not lead to a loss of office floorspace in any part the CAZ unless there is no reasonable

and demonstrable prospect of the site being used for offices and/or alternative provision is made for the provision of net additional office space near the development (including through swaps and credits, about which it is stated that local approaches to mixed-use development of offices with housing should take into account the potential to use land use swaps, credits and off-site contributions to sustain strategically-important clusters of commercial activities such as those in parts of the commercial core of the CAZ.

Objection 26.

We object to narrowness in the wording of the P26 Reasons para and suggest The final 2 sentences be refined to read something like this: In our central London site allocations we are requiring an uplift in employment space to help meet this growing demand and provide for the particular industrial needs of the CAZ. In our opportunity areas, town centres and major site allocations, mixed use neighbourhoods and mixed-use developments will incorporate new types of flexible business workspace accommodating manufacturing, logistics, servicing, technology, science, creative and cultural industries and the digital economy, helping to boost the number of jobs in the borough and enhance economic diversity.

[London Plan para 6.2.1](#) emphasises that smaller occupiers and creative businesses are particularly vulnerable and sensitive to even small fluctuations in costs. Hence it is stated that to deliver a diverse economy, it is important that cost pressures do not squeeze out smaller businesses, particularly from fringe locations around central London, but also across the capital as a whole, and that ensuring a sufficient supply of business space of different types and sizes will help to ensure that workspace is available for occupation at an appropriate range of rents reflecting the specification, quality and location of the space.

[London Plan para 6.2.4](#) requires that where there there is demand for workspace or viable existing business uses on site, development proposals for alternative uses should deliver an equivalent amount of workspace through the intensification or reconfiguration of space. Part B.3 of the policy applies in exceptional circumstances, where it can be demonstrated that it is not feasible to accommodate replacement workspace and existing businesses on-site through intensification or reconfiguration. What constitutes a reasonable proximity should be determined on the circumstances of each case having regard to the impact on business supply chains and access to labour supply. Relocation arrangements should be put in place prior to the commencement of development to ensure that disruption to existing businesses is minimised.

[London Plan Policy E1](#) regarding offices requires that existing viable office floorspace capacity in outer and inner London locations outside the CAZ and NIOD should be retained, and development proposals should take into account the need for lower cost and affordable workspace. It is emphasised in para 6.1.5 that it is important to ensure that there is sufficient space to support the growth of new start-up companies and to accommodate SMEs, including lower-cost and affordable business space. Thus Development Plans

and development proposals should support the provision of space suitable for SMEs in light of strategic and local assessments of demand and supply.

[London Plan Policy E2](#) regarding low-cost business space requires that the provision, and where appropriate, protection of a range of low-cost B1 business space should be supported to meet the needs of micro, small and medium-sized enterprises and to support firms wishing to start-up or expand. Hence development proposals that involve the loss of existing B1 space in areas where there is an identified shortage of lower-cost space should demonstrate that there is no reasonable prospect of the site being used for business purposes, or ensure that an equivalent amount of B1 space is re-provided in the proposal (which is appropriate in terms of type, specification, use and size), incorporating existing businesses where possible, or demonstrate that suitable alternative accommodation (in terms of type, specification, use and size) is available in reasonable proximity to the development proposal and, where existing businesses are affected, that they are subject to relocation support arrangements before the commencement of new development.

[London Plan Policy E2](#) requires that development proposals for new B1 business floorspace greater than 2,500 sqm (gross external area) should consider the scope to provide a proportion of flexible workspace suitable for micro, small and medium-sized enterprises.

Objection 27.

We object to the failure to adequately specify in site allocations sufficient detail about how developments should responded to P26, most notably the inadequacy of the facts given about existing floorspace and existing use types, and the lack of quantum and accommodation type requirements for development.

Office accommodation required to be reprovided through site allocations where mixed development that includes residential is proposed totals over 3.1m sq ft, which is around 20% of the borough's total current office accommodation of approx 15m sq ft (according to one of the evidence base documents).

Objection 21 applies to the site allocations on the following 24 sites, on which the current main use is office (or hybrid B class use), where proposed policy requires mixed-use redevelopment that includes housing as well as replacement B use class accommodation, but where type and quantum is inadequately defined.

NSP01
NSP02
NSP03
NSP05
NSP07

NSP08
NSP09
NSP14
NSP15
NSP16
NSP17
NSP18
NSP20
NSP21
NSP44
NSP45
NSP46
NSP49
NSP52
NSP53
NSP54
NSP11 (Tower Workshops)
NSP80 (St Olav's Business Park)

Objection 21 applies to the site allocations on the following 43 sites, on which the current main use is industrial, where proposed policy requires mixed-use redevelopment that includes housing as well as replacement B use class accommodation, but where type and quantum is inadequately defined.

NSP10 (Biscuit factory)
NSP57 (Mandela Way)
NSP56 (Crimscott + C&B)
NSP66 (St James's etc)
NSP67 (Verney etc)
NSP89 (Hatcham)
NSP70 (Ilderton Road)
NSP68 (Devon and Sylvan)
NSP65 (Asda etc)
NSP23 (Parkhouse)
NSP13 (Old Jamaica Road Business Estate)
NSP22 (Camberwell station)
NSP25 (Valmar)
NSP26 (Camberwell Bus Garage)
NSP27 (Abellio garage)
NSP28 (Camberwell station rd / Warner rd)
NSP30 (Lomond Grove laundry)
NSP31 (Edmundson)
NSP37 (Kwik Fit etc)
NSP39 (Railway Rise)
NSP41 (Goose Green)
NSP43 (Bakerloo depot)
NSP44 (Newington Causeway)
NSP50 (Bath Trading Estate)
NSP64 (stables)
NSP71 (Toys are us)

NSP73 (Kwik Fit)
NSP74 (Blackfen)
NSP77 (East of Rye Ln)
NSP82 (Harsworth Quays etc)
NSP40 (Townley Road)
NSP75 (Peckham, Aylesham Centre etc)
NSP32 (Grove Park)
AAAP (Aylesbury Action Area) sites not already built
NSP79 (Gas holder site)
NSP12 (Riverside Rotherhithe)
NSP 48
NSP42 (sites south of Borough Road)
NSP82
NSP81 (Canada Water main sites)
PNAAP19 (Ex sausage)
PNAAP16
PNAAP9 (north of Peckham Road)

[NPPF para 14](#) requires Local Plans to meet objectively assessed needs.

[London Plan Policy GG5](#) regarding growing a good economy requires those involved in planning and development should plan for sufficient employment and industrial space in the right locations to support economic development and regeneration.

[NPPF para 154](#) states that Local Plans should set out clear policies on what will or will not be permitted and where.

[London Plan Policy SD4](#) regarding the Central Activities Zone (CAZ) requires that the nationally and internationally significant office functions of the CAZ should be supported and enhanced by all stakeholders, including the intensification and provision of sufficient space to meet demand for a range of types and sizes of occupier and rental values.

[London Plan policy SD5](#) regarding offices, other strategic functions and residential developments in the CAZ requires that offices and other CAZ strategic functions are to be given greater weight relative to new residential development in the London Bridge, Borough and Bankside opportunity area. The policy states that mixed-use office/residential proposals are supported in principle in those areas, where there is an equivalent or net increase in office floorspace, however residential development proposals should not lead to a loss of office floorspace in any part the CAZ unless there is no reasonable and demonstrable prospect of the site being used for offices and/or alternative provision is made for the provision of net additional office space near the development (including through swaps and credits, about which it is stated that local approaches to mixed-use development of offices with housing should take into account the potential to use land use swaps, credits and off-site contributions to sustain strategically-important clusters of commercial activities such as those in parts of the commercial core of the CAZ.

[London Plan Policy E1](#) regarding offices requires that existing viable office floorspace capacity in outer and inner London locations outside the CAZ and NIOD should be retained, and development proposals should take into account the need for lower cost and affordable workspace. It is emphasised in para 6.1.5 that it is important to ensure that there is sufficient space to support the growth of new start-up companies and to accommodate SMEs, including lower-cost and affordable business space. Thus Development Plans and development proposals should support the provision of space suitable for SMEs in light of strategic and local assessments of demand and supply.

[London Plan Policy E2](#) regarding low-cost business space requires that the provision, and where appropriate, protection of a range of low-cost B1 business space should be supported to meet the needs of micro, small and medium-sized enterprises and to support firms wishing to start-up or expand. Hence development proposals that involve the loss of existing B1 space in areas where there is an identified shortage of lower-cost space should demonstrate that there is no reasonable prospect of the site being used for business purposes, or ensure that an equivalent amount of B1 space is re-provided in the proposal (which is appropriate in terms of type, specification, use and size), incorporating existing businesses where possible, or demonstrate that suitable alternative accommodation (in terms of type, specification, use and size) is available in reasonable proximity to the development proposal and, where existing businesses are affected, that they are subject to relocation support arrangements before the commencement of new development.

[London Plan Policy E2](#) requires that development proposals for new B1 business floorspace greater than 2,500 sqm (gross external area) should consider the scope to provide a proportion of flexible workspace suitable for micro, small and medium-sized enterprises.

[London Plan para 6.2.1](#) emphasises that smaller occupiers and creative businesses are particularly vulnerable and sensitive to even small fluctuations in costs. Hence it is stated that to deliver a diverse economy, it is important that cost pressures do not squeeze out smaller businesses, particularly from fringe locations around central London, but also across the capital as a whole, and that ensuring a sufficient supply of business space of different types and sizes will help to ensure that workspace is available for occupation at an appropriate range of rents reflecting the specification, quality and location of the space.

[London Plan para 6.2.4](#) requires that where there is demand for workspace or viable existing business uses on site, development proposals for alternative uses should deliver an equivalent amount of workspace through the intensification or reconfiguration of space. Part B.3 of the policy applies in exceptional circumstances, where it can be demonstrated that it is not feasible to accommodate replacement workspace and existing businesses on-site through intensification or reconfiguration. What constitutes a reasonable proximity should be determined on the circumstances of each case having regard to the impact on business supply chains and access to labour supply.

Relocation arrangements should be put in place prior to the commencement of development to ensure that disruption to existing businesses is minimised.

P27: Railway arches

Objection 28.

We object to P27 point 1 that allows other than industrial uses in railway arches generally. Such a policy, if allowed to apply across over 800 arches, could be expected to result in extensive loss of industrial accommodation, as other uses that can pay higher rents take the space. This would further the unsoundness of the plan as it would magnify industrial accommodation shortage, contributing to a potential 92ha loss of capacity across the borough, 77% of the current total, one of the results of Southwark's failure to make every effort to objectively identify and then meet the business needs of the area. This policy should be reviewed together with reconsideration of town centre policy, industrial land policy, office and business development policy, associated map designations, site allocation requirements, and more, with a view to better matching the supply of business and other non-residential accommodation with current and future demand. Either this policy should be revised to restrict A class uses and community facilities in railway arches, or the suggestions that follow in our Objection 23 should be applied.

[NPPF para 14](#) requires Local Plans to meet objectively assessed needs.

[NPPF para 154](#) states that Local Plans should set out clear policies on what will or will not be permitted and where.

[London Plan Policy GG5](#) regarding growing a good economy requires those involved in planning and development should plan for sufficient employment and industrial space in the right locations to support economic development and regeneration.

Objection 29.

We object to failure to designate most areas of railway arch accommodation as SPIL and LSIS. We suggest that most railway viaduct spaces currently in industrial use be designated as SPIL or LSIS and that P27 apply only to areas outside those designations. In most of those areas inclusion in town centre designations will be appropriate and should be taken forward as part of a fuller review of those designations. If this was taken forward then our Objection 22 could be disregarded.

[NPPF para 154](#) states that Local Plans should set out clear policies on what will or will not be permitted and where.

[London Plan Policy GG5](#) regarding growing a good economy requires those involved in planning and development should plan for sufficient employment and industrial space in the right locations to support economic development and regeneration.

Objection 30.

We object to the limited scope of P27 point 1. The must not impede principle should be extended to include the general functioning and satisfactory servicing of activities in arches and premises premises nearby.

Objection 31.

We object to the failure to define the scope of P27 on the Policies Map. Without this there is significant scope for ambiguity and challenge.

[NPPF para 157](#) states that Local Plans should identify areas where it may be necessary to limit freedom to change the uses of buildings, and support such restrictions with a clear explanation.

[London Plan Policy GG5](#) regarding growing a good economy requires those involved in planning and development should plan for sufficient employment and industrial space in the right locations to support economic development and regeneration.

P28: Small and independent businesses

Objection 32.

We object to P28 point 2 as it fails to adequately define the range of accommodation that suits the full range of small and small branch business of relevance to Southwark. We suggest that it will be useful to include reference to use types as is done in P26 point 1.2, mentioning inclusion of a range of employment spaces including smaller scale logistics, light industry, co-working, maker spaces, servicing and repair, studios and offices. We also suggest that wording could be added to state that design must pay particular regard to matters including goods access, plan simplicity, floor loading, ceiling heights, natural light, emission management. These adjustments will improve NSP soundness in relation to making every effort to objectively identify and then meet the business needs of the area.

[London Plan Policy GG5](#) regarding growing a good economy requires those involved in planning and development should plan for sufficient employment and industrial space in the right locations to support economic development and regeneration.

Objection 33.

We object to references in P28 to small and independent businesses as this excludes small branch businesses and expresses a preference relating to business ownership that is inappropriate in planning. We suggest that the legitimate intent here is to recognise the challenges of providing for smaller business units, in which category in Southwark there are many small branches as well as stand alone small businesses. It would also be useful to recognise that a significant range of accommodation size is relevant to such occupiers: an office based business with 50 people could be just a few hundred sq m, whereas for some industrial businesses 50 people would be in accommodation as large as a few thousand sq m. These adjustments will improve NSP soundness in relation to making every effort to objectively identify and then meet the business needs of the area.

The Fact Box could usefully have a definition for Small branch business added: A branch operation of a medium or large enterprise, where the branch operates with 50 employees or less.

[NPPF para 14](#) requires Local Plans to meet objectively assessed needs.

Objection 34.

We object to reference to specialist workspace providers without also mentioning the role of less specialist owners who lease premises, and the valuable role of owner occupied premises. Specialist workspace providers are most active in providing higher rent flexible term accommodation, and niche affordable accommodation, of less relevance to many sectors of the economy. The wording should be widened in order to improve NSP soundness in relation to making every effort to objectively identify and then meet the business needs of the area.

Objection 35.

We object to reference to horizontal mixed-use design, and to reference only to residential as the use that might mix with B class uses. The reference to horizontal mixed-use design implies it is the favoured development type, whereas vertical mixed-use types can be a more realistic way to achieve significant quantities of deep industrial accommodation with level access

without relying on goods lifts. There should be equal reference to both formats, with encouragement that developers find the most appropriate development type to meet occupier needs. It should also be made clear that mix-use without residential, such as industrial with office, retail or education, can also play an important role. Such wording changes will improve NSP soundness in relation to making every effort to objectively identify and then meet the business needs of the area.

[NPPF para 14](#) requires Local Plans to meet objectively assessed needs.

[London Plan Policy GG5](#) regarding growing a good economy requires those involved in planning and development should plan for sufficient employment and industrial space in the right locations to support economic development and regeneration.

P29: Small shops

Objection 36.

We object to restriction of policy application to town centres, without justification. The wording of point 1 should be altered to commence: Throughout the borough, small shops...

[NPPF para 14](#) requires Local Plans to meet objectively assessed needs.

[NPPF para 70](#) makes clear that to deliver the social, recreational and cultural facilities and services the community needs, planning policies should guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs, and should ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and be retained for the benefit of the community.

Objection 37.

We object to failure to preclude residential use when it has been demonstrated there is no demand for continued shop use.

[NPPF para 14](#) requires Local Plans to meet objectively assessed needs.

[NPPF para 70](#) makes clear that to deliver the social, recreational and cultural facilities and services the community needs, planning policies should guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs, and should ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and be retained for the benefit of the community.

Objection 38.

We object to failure to adequately define the scope of a shop, such as the policy requires to be retained or re-provided. We suggest that the 80sqm floorspace should apply to the sales area only, and the scope requiring retention or re-provision should also include associated amenity, storage and yard / access space.

[NPPF para 70](#) makes clear that to deliver the social, recreational and cultural facilities and services the community needs, planning policies should guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs, and should ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and be retained for the benefit of the community.

Objection 39.

We object to the failure to define the scope of P29 on the Policies Map, by outlining each of the shops and associated accommodation to which this applies. Without this there is significant scope for ambiguity and challenge.

[NPPF para 157](#) states that Local Plans should identify areas where it may be necessary to limit freedom to change the uses of buildings, and support such restrictions with a clear explanation.

[NPPF para 157](#) requires that Local Plans should Indicate land-use designations on a proposals map.

[NPPF para 70](#) makes clear that to deliver the social, recreational

and cultural facilities and services the community needs, planning policies should guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs, and should ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and be retained for the benefit of the community.

P30: Town and local centres

Objection 40.

We object to the failure to recognise and inclusively designate a significant proportion of the borough's existing high street settings as town centres, and thus to protect them from development that could reduce non-residential capacity. We also object to the inappropriate inclusion of several predominantly residential areas within town centre boundaries.

Outside the CAZ only around **60%** of the borough's high street settings are proposed for designation as Town Centres and thus potentially afforded appropriate protection and policy clarity.

Within the CAZ high street setting areas on New Kent Road and the south-east section of Borough High Street and outside Town Centre designation.

The inclusion of substantial areas of stable predominantly residential fabric in the Walworth Town Centre boundary and the Elephant & Castle Town Centre boundary undermines the clarity of Town Centre policy and seems not to align with its purpose.

[NPPF para 14](#) requires Local Plans to meet objectively assessed needs.

[NPPF para 157](#) requires that Local Plans should Indicate land-use designations on a proposals map.

[NPPF para 157](#) states that Local Plans should identify areas where it may be necessary to limit freedom to change the uses of buildings, and support such restrictions with a clear explanation.

[NPPF para 6](#) requires the planning system to contribute to the achievement of sustainable development, including through an economic role, contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements.

[NPPF para 70](#) makes clear that to deliver the social, recreational and cultural facilities and services the community needs, planning policies should guard

against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs, and should ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and be retained for the benefit of the community.

[London Plan Policy GG5](#) regarding growing a good economy requires those involved in planning and development should plan for sufficient employment and industrial space in the right locations to support economic development and regeneration.

[NPPF para 23](#) requires planning policies to meet needs for retail, leisure, office and other main town centre uses in full, un-compromised by limited site availability, and to ensure this local planning authorities should undertake an assessment of the need to expand town centres to ensure a sufficient supply of suitable sites.

[NPPF para 23](#) requires Local Plans to define a network and hierarchy of town centres that is resilient to anticipated future economic changes, and to define the extent of town centres and set policies that make clear which uses will be permitted in such locations. Planning authorities are also required to allocate a range of suitable sites to meet the scale and type of retail, leisure, commercial, office, tourism, cultural, community and residential development needed in town centres.

[London Plan policy SD7](#) regarding the town centre network makes clear that identified deficiencies in the London town centre network can be addressed by promoting centres to function at a higher level in the network, designating new centres or reassessing town centre boundaries.

[London Plan para 2.7.1](#) emphasises that London's town centre network is a vital element of London's economy and is crucial for meeting the needs of Londoners and those who work in and visit London.

[London Plan policy SD8](#) regarding town centres requires Development Plans to define the detailed boundary of town centres in policy maps including the overall extent of the town centre (taking into consideration associated high streets which have particular economic or social value) along with specific policy-related designations such as primary shopping areas, primary and secondary frontages in light of demand/capacity assessments for town centre uses and housing

[London Plan para 2.9.4](#) states that in many town centres in London, there is particular pressure on commercial floorspace to be converted to residential use. In order to ensure the vitality and vibrancy of town centres it is important that they contain an appropriate mix and quantity of office and other commercial floorspace.

Objection 41.

We object to failure to assess the quantum of future need for high street setting accommodation across Southwark, in relation to existing quantum, and to designate and define the extent of town centres accordingly, with the aim of meeting future need as well as current by designating areas that have the potential to strengthen or emerge as high street settings.

[NPPF para 14](#) requires Local Plans to meet objectively assessed needs.

[NPPF para 6](#) requires those involved with the planning system to contribute to the achievement of sustainable development, including through an economic role, contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements.

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Objection 42.

We object to failure to designate District Town Centres at Old Kent Road West and Old Kent Road East as recommended by the GLA. We suggest that designation of two (most likely adjoining) District Town Centre extents should include current high street setting extents as well as additional areas that anticipate future needs in the area.

[NPPF para 14](#) requires Local Plans to meet *objectively assessed needs*

[London Plan para 2.1.15](#) about the Old Kent Road OA states that any new town centres should be designated close to the potential new Tube stations and should be of an appropriate scale, taking into account capacity and the impact on nearby centres.

Objection 43.

We object to failure to inclusively designate Local Town Centre extents and we suggest fresh designation of the following:

New Kent Road
Southwark Park Road (west)
Jamaica Road
Lower Road / Plough Way
Rotherhithe New Road
East Street (east of Flint Street)
Southampton Way
Peckham Road
Queens Road Peckham
Evelina Road (north)
Forest Hill Road / Peckham Rye
Lordship Lane / The Plough
Lordship Lane (south)
Park Hall Road / Croxted Road
Bellenden Road
Camberwell Road
Grange Road

[NPPF para 14](#) requires Local Plans to meet *objectively assessed needs*

Objection 44.

We object to failure to inclusively designate Neighbourhood Centre extents and suggest designation of at least 12 Neighbourhoods Centres, being all other settings that include designated protected frontage.

[NPPF para 14](#) requires Local Plans to meet *objectively assessed needs*

Objection 45.

We object to failure to designate additional appropriate areas as additions to at least 3 of the designated Town Centres, as follow:

Borough High Street east side at south end;
Tower Bridge Road, south end;
Lordship Lane to incorporate Grove Vale area and to extend further south along Lordship Lane;
And other additions are likely to be appropriate and should be identified through a careful audit of uses across the borough.

[NPPF para 14](#) requires Local Plans to meet objectively assessed needs.

Objection 46.

We object to failure to clearly define the scope of uses that are to be permitted and encouraged in town centres. We suggest that in addition to main town centre uses as defined in the NPPF, the list of uses that will be permitted and encouraged should include light industrial (including in workshops, workrooms and studios), smaller scale logistics, health care, community and education uses, all of which have a significant presence in Southwark's town centres and should be encouraged to flourish as those settings evolve.

[NPPF para 14](#) requires Local Plans to meet *objectively assessed needs*

[NPPF para 154](#) states that Local Plans should set out clear policies on what will or will not be permitted and where.

[NPPF para 70](#) makes clear that to deliver the social, recreational and cultural facilities and services the community needs, planning policies should guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs, and should ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and be retained for the benefit of the community.

[NPPF para 23](#) requires Local Plans to define a network and hierarchy of town centres that is resilient to anticipated future economic changes, and to define the extent of town centres and set policies that make clear which uses will be permitted in such locations.

[London Plan Policy SD6](#) regarding town centres requires that London's varied town centres and their vitality and viability be promoted and enhanced as: strong, resilient, accessible, inclusive and viable hubs for a diverse range of uses including employment, business space, shopping, culture, leisure, night-time economy, tourism, civic, community, social infrastructure and residential development.

[London Plan para 2.9.4](#) states that in many town centres in London, there is particular pressure on commercial floorspace to be converted to residential use. In order to ensure the vitality and vibrancy of town centres it is important that they contain an appropriate mix and quantity of office and other commercial floorspace.

Objection 47.

We object to failure to define key design parameters for development within town centres, including prohibition of ground floor residential and the setting of a minimum ceiling height for ground floor accommodation.

[NPPF para 14](#) requires Local Plans to meet objectively assessed needs.

[NPPF para 154](#) states that Local Plans should set out clear policies on what will or will not be permitted and where.

[NPPF para 70](#) makes clear that to deliver the social, recreational and cultural facilities and services the community needs, planning policies should guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs, and should ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and be retained for the benefit of the community.

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[London Plan para 2.9.4](#) states that in many town centres in London, there is particular pressure on commercial floorspace to be converted to residential use. In order to ensure the vitality and vibrancy of town centres it is important

that they contain an appropriate mix and quantity of office and other commercial floorspace.

Objection 48.

We object to failure to require retention or re-provision of market uses, and their enhancement.

[NPPF para 14](#) requires Local Plans to meet objectively assessed needs.

[NPPF para 157](#) states that Local Plans should identify areas where it may be necessary to limit freedom to change the uses of buildings, and support such restrictions with a clear explanation.

[NPPF para 70](#) makes clear that to deliver the social, recreational and cultural facilities and services the community needs, planning policies should guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs, and should ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and be retained for the benefit of the community.

[London Plan para 2.9.4](#) states that in many town centres in London, there is particular pressure on commercial floorspace to be converted to residential use. In order to ensure the vitality and vibrancy of town centres it is important that they contain an appropriate mix and quantity of office and other commercial floorspace.

P31: Development outside town centres

Objection 49.

We object to failure to define the phrase town centre uses as this policy applies to them. We suggest that the phrase should be main town centre uses and this should be referenced to the NPPF.

P33: Shops outside protected shopping frontages, town and local centres

Objection 50.

We object to the failure to define the scope of P33 on the Policies Map, by outlining each of the shops and associated

accommodation to which this applies. Without this there is significant scope for ambiguity and challenge, and thus the policy will be weakened.

NPPF para 157 states that Local Plans should identify areas where it may be necessary to limit freedom to change the uses of buildings, and support such restrictions with a clear explanation.

NPPF para 157 requires that Local Plans should Indicate land-use designations on a proposals map;

NPPF para 70 makes clear that to deliver the social, recreational and cultural facilities and services the community needs, planning policies should guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs, and should ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and be retained for the benefit of the community.

Objection 51.

We object to weakness and unclarity in this policy and suggest; That shops be clearly defined for the purpose of this policy, and should include not just the sales area but also associated amenity, storage and yard / access space; An alternative to satisfying point 2 should be replacement provision in the nearby area, in an appropriate and viable location.

NPPF para 70 makes clear that to deliver the social, recreational and cultural facilities and services the community needs, planning policies should guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs, and should ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and be retained for the benefit of the community.

Objection 52.

We object to failure to include any reference to expectation for new development. We suggest addition of a point stating that development of new shops that are below the sequential test threshold, outside of town centres, where it is clear that they will meet a need, are likely to be viable, and will not

disproportionately compromise residential amenity, will be supported.

NPPF para 14 requires Local Plans to meet objectively assessed needs.

P37: Pubs

Objection 53.

We object to the failure to define the scope of P37 on the Policies Map, by outlining each of the shops and associated accommodation to which this applies. Without this there is significant scope for ambiguity and challenge, and thus the policy will be weakened.

NPPF para 157 states that Local Plans should identify areas where it may be necessary to limit freedom to change the uses of buildings, and support such restrictions with a clear explanation.

NPPF para 157 requires that Local Plans should Indicate land-use designations on a proposals map.

NPPF para 70 makes clear that to deliver the social, recreational and cultural facilities and services the community needs, planning policies should guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs, and should ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and be retained for the benefit of the community.

P38: Business relocation

Objection 54.

We object to lack of clarity in this policy and suggest a series of amendments to increase its effectiveness:

Reference to small or independent businesses should be replaced with small or small branch (small businesses are independent, and small branch businesses have similar challenges and are also a vital part of the Southwark economy);

In point 1 are displaced should be replaced by may be displaced;

Point 2i. should be redrafted to read Existing quantum and characterises of non-residential floorspace (GLA and operational yards), separated by use class, including vacant units and yards;

Point 2ii. should be redrafted to read Schedule of existing businesses operating on the site, and businesses that have recently departed, including description, business sector, nature of the space occupied, number of employees, and occupancy stuff / lease terms;

Point 2iii. should be redrafted to read Proposed levels of non-residential floorspace (GIA and yards), plus details of key characteristics;

Point v. should be redrafted to read Details of engagement with the council and workspace provider5s, agents, businesses and business associations, to secure occupiers for new employment space;

Point 3i. should be amended to read ...fit out and ownership or lease terms;

Point 3ii. should have added at its end ...,and should be avoided when businesses are of a type for whom multiple moves are not realistic;

Point 4ii. should have added at its end ...,this evidence should include statements from existing businesses;

Point 4iii. should be amended to read ...no suitable premises exist, suitable premises should be identified in adjacent boroughs.

With these suggested amendments the text would be as follows:

1.

Where existing small or small branch businesses or small shops may be displaced by development a business relocation strategy, written in consultation with affected businesses, must be provided. The business relocation strategy must set out viable relocation options.

2.

All business relocation strategies must include:

i.

Existing quantum and accommodation characteristics of non-residential floorspace (GIA and operational yards), listed by use class, including vacant units and yards; and

ii.

Schedule of existing businesses operating on the site, and businesses that have recently departed, including description, business sector, nature of the space occupied, number of employees, and occupancy status / lease terms; and

iii.

Proposed levels of non-residential floorspace (GIA and operational yards), plus details of key characteristics; and

iv.

Details of engagement with existing businesses on-site regarding re-provision of premises or relocation options; and

v.

Details of engagement with the council and workspace providers, agents, businesses and business associations, to secure occupiers for new employment space.

3.

Where existing businesses are accommodated in new development schemes the strategy should include:

i.

Specific business requirements including servicing, fit out and ownership or lease terms; and

ii.

Temporary relocation arrangements or scheme phasing to allow the continuation of the business during construction. Temporary relocation should be contained on-site or as close to the original site as possible, and should be avoided when businesses are of a type for whom multiple moves are not realistic.

4.

Where existing businesses are proposed to be relocated the strategy should include:

i.

Reasons why existing businesses cannot be located on-site;

ii.

Details of relocation options explored with individual businesses and the assistance that has been and will be provided. Evidence should be given that the relocation option is suitable for the viable continuation of the business, this evidence should include statements from existing businesses;

iii.

Identification of alternative premises in Southwark. Where no suitable premises exist, suitable and available premises should be identified in adjacent boroughs;

iv.

Statements from existing businesses should they wish to cease trading rather than relocate;

v.

Collaboration with other property owners and developers to establish whether suitable workspace for existing businesses could be accommodated in different phases of the development programmes.

Reasons

Small and small branch businesses and small shops are a vital part of the prosperous local economy in Southwark and are made up of a wide range of innovative and inspiring enterprises, helping to boost local employment and the distinctive character of local neighbourhoods. Regeneration should help to increase the provision of small business space, particularly in new mixed use neighbourhoods. However it is important to ensure that any existing businesses are carefully considered in redevelopment schemes, either to be re- provided where phasing allows, or to be relocated in Southwark to ensure the borough retains its local talent and commercial creativity.

Small businesses are more vulnerable than larger companies and multiples and are unlikely to have the corporate resources available to seek specialist advice on relocation and mitigate the risks to the business. This places a

disproportionate burden on small enterprises and may affect the overall viability of their business. Therefore it is appropriate that additional support is given to small businesses that may be affected by redevelopment.

Objections to *Social regeneration to revitalise neighbourhoods* chapter policies

P13: Residential design

Objection 55.

We object to failure to require larger predominantly residential developments to include smaller scale workspace for which there is strong demand and that can realistically be combined with residential, including office, workshop and light industrial, studio and workroom, storage.

[NPPF para 14](#) requires Local Plans to meet objectively assessed needs.

[London Plan para 6.3.4](#) states that The Mayor will encourage the delivery of new workspace for SMEs, the creative industries, artists and the fashion industry within new residential and mixed-use developments. He will also provide assistance to artists and creative businesses through the Mayor's Creative Enterprise Zones and promote schemes that provide linked affordable housing and business space in new housing developments.

Objection 56.

We object to failure to give clarity on policy about workspaces in combination with, or ancillary to, residential. Given the large and increasing proportion of Southwark's residents who work at or adjoining their homes, it would be appropriate to adopt policies generally supporting small development that increases workspace capacity in predominantly residential settings, and encouraging flexibility in the design of dwellings to allow amendment or extension for home working and workspace adjacent to homes. It should be stated that small office, studio, workshop and light industrial, kitchen, storage and distribution can all be acceptable in predominantly residential setting, if there will not be disproportionate impacts on residential amenity.

[NPPF Para 21](#) instructs that investment in business should not be over-burdened by the combined requirements of planning policy expectations also requires local planning authorities to facilitate flexible working practices such as the integration of residential and commercial uses within the same unit.

[NPPF para 14](#) requires Local Plans to meet objectively assessed

needs.

[NPPF para 154](#) states that Local Plans should set out clear policies on what will or will not be permitted and where.

[NPPF para 6](#) requires the planning system to contribute to the achievement of sustainable development, including through an economic role, contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements.

[London Plan para 6.3.4](#) states that the Mayor will encourage the delivery of new workspace for SMEs, the creative industries, artists and the fashion industry within new residential and mixed-use developments.

P15: Efficient use of land

Objection 57.

We object to failure to make clear that this policy will promote smaller scale non-residential development wherever they comply with points 1.1 and 1.2. We suggest adding a point 3 stating that development should be permitted for smaller scale non-residential uses (below the sequential test thresholds) wherever they satisfy 1.1 and 1.2. It should be explained in the Reasons text that there is significant scope for small scale expansion of non-residential development outside of the CAZ, town centres, designated industrial land and allocated sites, and that these can help restore the filigree of premises suitable for such as light industry, studio uses and office use, community uses, niche and local serving retail.

[NPPF para 14](#) requires Local Plans to meet objectively assessed needs.

[NPPF para 154](#) states that Local Plans should set out clear policies on what will or will not be permitted and where.

[NPPF para 6](#) requires the planning system to contribute to the achievement of sustainable development, including through an economic role, contributing to building a strong, responsive and competitive economy, by ensuring that

sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements.

[London Plan para 6.3.4](#) states that The Mayor will encourage the delivery of new workspace for SMEs, the creative industries, artists and the fashion industry within new residential and mixed-use developments. He will also provide assistance to artists and creative businesses through the Mayor's Creative Enterprise Zones and promote schemes that provide linked affordable housing and business space in new housing developments.

Objections to *Leisure, arts and culture* chapter policies

P43: Leisure, arts and culture

Objection 58.

We object to the failure to define the scope of P29 on the Policies Map, by outlining each of the shops and associated accommodation to which this applies. Without this there is significant scope for ambiguity and challenge, and thus the policy will be weakened.

[NPPF para 157](#) states that Local Plans should identify areas where it may be necessary to limit freedom to change the uses of buildings, and support such restrictions with a clear explanation.

[NPPF para 157](#) requires that Local Plans should Indicate land-use designations on a proposals map.

[NPPF para 70](#) makes clear that to deliver the social, recreational and cultural facilities and services the community needs, planning policies should guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs, and should ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and be retained for the benefit of the community.

P44: Community uses

Objection 59.

We object to the failure to define the scope of P29 on the Policies Map, by outlining each of the shops and associated accommodation to which this applies. Without this there is significant scope for ambiguity and challenge, and thus the policy will be weakened.

[NPPF para 157](#) states that Local Plans should identify areas where it may be necessary to limit freedom to change the uses of buildings, and support such restrictions with a clear explanation.

[NPPF para 157](#) requires that Local Plans should Indicate land-use designations on a proposals map.

[NPPF para 70](#) makes clear that to deliver the social, recreational and cultural facilities and services the community needs, planning policies should guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs, and should ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and be retained for the benefit of the community.

Objections to *Quality affordable homes* chapter policies

P2: New family homes

Objection 60.

We object to P2 point 1.5 which states that family homes in apartment blocks should be on lower floors to improve access to outdoor amenity space and allow oversight of children outside. This policy should be added to with wording that clarifies that in many mixed-use developments, for example in town centres and opportunity areas, lower residential floors may some distance about the ground, above accommodation for non-residential uses.

This is an important clarification since P2 requires between 20 and 30% of homes to be family homes (3 bed+), and if the requirement to locate on lower floors is not applied in way that recognised the challenges of mix-use development (including those incorporating industrial and retail accommodation) this could constrict delivery of the required quantity of non-residential accommodation, and this compromise NSP soundness in relation

to the NPPF requirements to making every effort to objectively identify and then meet the business needs of the area, and to integrate strategies for housing, employment and other uses.

[NPPF para 14](#) requires Local Plans to meet objectively assessed needs.

[NPPF para 6](#) requires the planning system to contribute to the achievement of sustainable development, including through an economic role, contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements.

Deleting implemented allocations and incorporating AAP policies

Objection 61.

We object to the inclusion of site allocations where development has already been completed or is underway, as these seem pointless, and confusing. We urge that site allocation for such sites should be deleted. These include CWAAP4, CWAAP2, CWAAP3, CWAAP14, CWAAP12, PNAAP13, PNAAP10, PNAAP32. We have not exhaustively checked for these, but we urge Southwark to do so.

Objection to failure to protect existing boatyard

Objection 62.

We object to the failure to protect the existing boatyard facility at allocated site CWAAP16. This is unsound in relation to the requirement of London Plan policy SI15.

[London Plan policy SI15](#) regarding water transport requires that existing boatyard sites should be protected and development proposals to increase their capacity or range of services should be supported. Alternative use of a boatyard site should only be accepted if the facilities of the site are re-provided at a site with equivalent or enhanced facilities.

[NPPF para 157](#) states that Local Plans should identify areas where it may be necessary to limit freedom to change the uses of buildings, and support such restrictions with a clear explanation.

[NPPF para 157](#) requires that Local Plans should Indicate land-use designations on a proposals map;

[NPPF para 14](#) requires Local Plans to meet objectively assessed needs.

[NPPF para 154](#) states that Local Plans should set out clear policies on what will or will not be permitted and where.

Objection to failure to safeguard waste management sites

Objection 63.

We object to the failure to safeguard waste management sites in the NSP. This is unsound in relation to London Plan policy 9.9.2.

[London Plan policy S19](#) requires existing waste sites be safeguarded and retained in waste management use and states that any waste site release should be part of a plan-led process and that sites should only be released to other land uses where waste processing capacity is re-provided elsewhere within London, based on the maximum achievable throughput of the site proposed to be lost.

[London Plan para 9.8.7](#) states that boroughs should examine in detail how waste capacity can be delivered at the local level through site allocations in Development Plans to meet their apportionments, and should aim to meet their waste apportionment as a minimum, and that they should identify suitable additional sites for waste including waste transfer sites where practicable.

[NPPF para 157](#) states that Local Plans should identify areas where it may be necessary to limit freedom to change the uses of buildings, and support such restrictions with a clear explanation.

[NPPF para 157](#) requires that Local Plans should Indicate land-use designations on a proposals map;

[NPPF para 14](#) requires Local Plans to meet objectively assessed needs.

[NPPF para 154](#) states that Local Plans should set out clear policies on what will or will not be permitted and where. .

[London Plan para 9.8.8](#) requires that large-scale redevelopment opportunities and redevelopment proposals should incorporate waste management facilities within them. To meet this requirement references should be made to the requirement to retain and to incorporate in the site allocation policies for sites including NSP67, NSP89, NSP68.

Objection to failure to designate *Creative Enterprise Zone/s*

Objection 64.

We object to failure to designate CEZ or CEZs in Southwark. Southwark have not followed guidance in the London Plan which is clearly of relevance to large areas of Bermondsey, Rotherhithe, Old Kent Road, Peckham, Walworth and Camberwell. In addition the London Plan OKR OA policy clearly signals the relevance of creative enterprise in that area, which implies that CAZ designation would be appropriate.

[London Plan Policy HC5](#) about supporting London's culture and creative industries encourages boroughs to work with the Mayor and relevant stakeholders to identify Creative Enterprise Zones in Local Plans: in areas that have emerging or existing clusters of creative industries; or in areas of identified demand and more deprived areas where there is evidence that the designation of a Creative Enterprise Zone will enhance the local economy and provide facilities and workspace for the creative industries. It then goes on to set out Local Plan policies that should be put in place for CAZs.

[London Plan para 7.5.12](#) and others explain that creative industries play an important role in London's economy and its cultural offer and as a sector, are growing at a faster rate than any other area of the economy. It is further stated that setting up a Creative Enterprise Zone can help boost the local economy of more deprived areas and support their regeneration, and that CEZs will support the provision of dedicated small industrial and creative workspaces and will seek to address issues of affordability and suitability of space for artists and creative businesses. It is indicated that Boroughs will be responsible for defining these areas in their Local Plans and developing policies to provide the workspace the industries need, and that CEZs should seek to protect, develop and deliver new spaces the creative industries need to produce, manufacture, design, rehearse and create cultural goods, as well as ancillary facilities where they can meet clients, network, share knowledge and showcase their work. This should include protecting existing workspace and encouraging new workspaces for the creative industries, ensuring that low-cost business space and affordable workspace is made available in accordance with Policy E2 Low-cost business space, Policy E3 Affordable workspace and Policy E8 Sector growth opportunities and clusters, and encouraging the temporary use of vacant buildings for creative uses.

[NPPF para 21](#) requires local planning authorities to support existing business sectors, taking account of whether they are expanding or contracting and, where possible, identify and plan for new or emerging sectors likely to locate in their area. Also to plan positively for the location, promotion and expansion of clusters or networks of knowledge driven, creative or high technology industries, and set criteria, or identify strategic sites, for local and inward investment to match the strategy and to meet anticipated needs over the plan

period. Para 21 also instructs that investment in business should not be overburdened by the combined requirements of planning policy expectations.

[NPPF para 157](#) states that Local Plans should identify areas where it may be necessary to limit freedom to change the uses of buildings, and support such restrictions with a clear explanation.

[NPPF para 154](#) states that Local Plans should set out clear policies on what will or will not be permitted and where.

[London Plan para 2.1.14](#) about the Old Kent Road OA requires that workspace for the existing creative industries should be protected and supported.

Objection to IP6: Statement of Community Involvement (SCI)

Objection 65.

We object to the SCI because it is so out of date that using it up to now has made the process fail to achieve legal compliance, and because the consultation process on the NSP submission version has been defective in relation to nationally defined requirements. IP6 is unsound because it relies, for the future implementation of planning policies and development control, on an unsound process which is out of date.

Objection to SP2: Social Regeneration to revitalise neighbourhoods policy.

Objection 66.

We object to this late addition to the NSP which is unsound because it is not properly integrated into the NSP.