

Sustainable Development Select Committee		
Title	Annual monitoring report (2012-13)	
Contributors	Scrutiny Manager	Item: 4
Class	Part 1 (open)	4 February 2014

The Planning Service Annual Monitoring Report (2012-13) was considered by Mayor and Cabinet on 4 December 2013. The Sustainable Development Select Committee has resolved to carry out post-decision scrutiny of the report at its meeting on 4 February 2014.

A summary of the monitoring report is appended below. The full report is available on the Council's website here:

<http://www.lewisham.gov.uk/myservices/planning/policy/LDF/Pages/Annual-monitoring-report.aspx>

The following decision was made by Mayor and Cabinet on 4 December 2013:

Having considered an officer report, the Mayor agreed that the content of the AMR 2012/13 be noted and its publication on the Council's website be approved.

Meeting papers for Mayor and Cabinet are available on the Council's website at:

<http://councilmeetings.lewisham.gov.uk/ieListDocuments.aspx?CId=139&MId=2847&Ver=4>

MAYOR AND CABINET		
Report Title	Planning Service: Annual Monitoring Report 2012/13	
Key Decision	Yes	Item No.
Ward	All	
Contributors	Head of Planning & Head of Law	
Class	Part 1	Date: 4 December 2013

1. Summary

- 1.1 The Planning Service is required by law to prepare and publish a report each year reviewing the performance of planning in the borough. The Planning Service does this on an annual basis in the Annual Monitoring Report (AMR) and includes matters such as the extent to which the Council's planning policies are being implemented as well as performance in decision making on planning applications and in preparing new planning documents.
- 1.2 A summary of the main AMR findings is set out in section 6 of this report and the AMR 2012/13 is attached at Annex 1.

2. Purpose

- 2.1 This report advises the Mayor and Cabinet of the Planning Service outcomes that were delivered in the 2012/13 monitoring year.

3. Recommendation

- 3.1 The Mayor is recommended to note the content of the AMR 2012/13 and approve its publication on the Council's website.

4. Policy Context

- 4.1 The content of this report is consistent with the Council's policy framework, namely the Core Strategy and the Sustainable Community Strategy (SCS). The Core Strategy is closely related to the SCS, as it sets out the physical implementation of the SCS. This report supports the following SCS objectives:
- *Empowered and responsible*: where people can be actively involved in their local area and contribute to tolerant, caring and supportive local communities.
 - *Clean, green and liveable*: where people live in affordable, high quality and adaptable housing, have access to green spaces and take responsibility for their impact on the environment.

- *Healthy, active and enjoyable*: where people can actively participate in maintaining and improving their health and well-being, supported by high quality health and care services, leisure, culture and recreational activities.
- *Safer*: where people feel safe throughout the borough and are able to live lives free from crime, anti-social behaviour and abuse.
- *Dynamic and prosperous*: where people are part of vibrant and creative localities and town centres, well-connected to London and beyond.

4.2 The AMR is particularly relevant to two of the Council's policy objectives - strengthening the local economy and providing decent homes for all – and reports on a number of indicators which show progress in these areas.

5. Background

5.1 The AMR is a document that is part of Lewisham's Local Development Framework (LDF). The Planning & Compulsory Purchase Act 2004 required every Local Planning Authority to submit an annual report (AMR) to the Secretary of State containing information on the implementation of the Local Development Scheme (LDS) and the extent to which the policies set out in Local Development Documents (LDD) are being achieved, focussing on the situation in the most recent financial year. The Localism Act 2011 removed the requirement to report on Government's core indicators and to consult the Secretary of State about the AMR. Local Planning Authorities are however still required to produce a monitoring report on various issues, having collected information during the monitoring year, and to make it available to the public.

5.2 This AMR covers the reporting period of the last financial year, that is, from 1 April 2012 up to 31 March 2013 and focuses on the implementation of the indicators contained within the Core Strategy, that were adopted by Council in June 2011. It accords with Part 8 of the Town and County Planning (Local Planning) (England) Regulations 2012 which specifies the information to be included within a monitoring report in particular:

- The stage each document specified in the LDS has reached in its preparation, and if there have been delays, why.
- The date of adoption of documents specified in the LDS, if any.
- Identifying where policies are not being implemented, and the reasons why.
- Specifying the number of net additional dwellings and affordable dwellings.
- Details of Neighbourhood Development Orders, Neighbourhood Development Plans and Community Infrastructure Levy documents, if any.

6. Key findings of the AMR 2012/13

Setting the context

6.1 Section 2 Lewisham in Context provides an overview of the borough. Throughout the AMR the latest data has been used to set out a picture of Lewisham. The AMR highlights the following key characteristics and trends:

- More housing, jobs and services - to accommodate a young, ethnically diverse and growing population. Lewisham has a younger population than London with proportionately less people aged 50 and over. The black and ethnic population will rise to 58% by 2041. Recent population projections published by the Greater London Authority, which take into account the 2011 Census estimates, estimate that the population will rise to 339,776 people by 2041.
- More housing and varied housing types and tenure - to address housing affordability in a borough where house prices are rising whilst the average income remains below the London average.
- More jobs - to expand Lewisham's small economy and to reduce unemployment, especially amongst young people.
- Sustainably built development - to ensure that Lewisham's energy consumption, air pollutants and waste recycling continues to improve and that options for sustainable drainage systems positively contribute to flood risk management.
- Accessibly located development - to ensure that Lewisham retains its lower car ownership rate than the London average.

Assessing performance in plan making

6.2 Section 3 Planning Policy Framework acknowledges the progress made in preparing new plans and strategies against the LDS, which was revised and adopted by the Council in February 2013. Good progress on plan preparation has been made:

- The Council's key planning document, the Core Strategy, was adopted in July 2011.
- An examination hearing for the Site Allocations Local Plan was held in January 2013 and the plan was adopted by the Council in June 2013.
- Examination hearings were held for the Lewisham Town Centre Local Plan in January and July 2013, with subsequent public consultation carried out during August – October 2013.
- Consultation on the proposed submission versions of the Development Management Local Plan and the Catford Town Centre Local Plan took place during August – October 2013 and they were Submitted for Examination in November 2013.
- The Regulation 18 Notification of Intention to prepare a Gypsy and Traveller's Sites Local Plan was published in March 2013 although public consultation on the options document has been delayed.

Assessing whether planning policies are being implemented

6.3 Sections 4-6 of the AMR consider the type and amount of development that has been completed during 2012/13, anticipates development in the future and considers progress made on strategic sites. It assess targets and indicators to demonstrate how the Council's planning policies are being achieved and implemented. Paragraphs 6.4 – 6.12 below highlight the main achievements of 2011/12.

6.4 Section 4 Development in 2012-2013 acknowledges the 1,805 net new homes that have been built during 2012/13. Looking at the supply in more detail:

- There were 2,074 newly built dwellings and a loss of 269 existing dwellings.
- The highest amount of housing completed in the last nine years and 617 more than in 2011/12.
- 700 dwellings above the London Plan target of 1,105.
- The new homes are not equally distributed across the borough but are concentrated mostly in locations identified in the Core Strategy, with 51% located in Growth and Regeneration Areas, 14% in Local Regeneration Areas and 2% in district centres. A further 15% of the completions are located at the Heathside and Lethbridge estate and the remaining 18% are spread throughout the borough, mostly in the wards of Sydenham, Brockley, Ladywell and Telegraph Hill.
- 1,464 residential units completed on seven major sites (above 50 net units) and 16 large sites (above 10 net units) during 2012/13. Conversely small sites (below 10 net units) are the most numerous type of site but provide the smallest proportion (19%) of homes.
- 60% of the new homes were provided on seven major sites at Heathside and Lethbridge, Loampit Vale, former Bell Green Gas Works site, Silwood Estate, former New Cross Hospital site, Marine Wharf West at Plough Way and 50-52 Trundleys Road.
- Only 5% of the completed units on large and major sites came forward as windfall sites.
- 82% of the gross new homes were provided as new builds, whilst 10% were house conversions and 8% were changes of use.
- 91% of the gross new homes were provided as flats whilst 7% were houses/bungalows, 1% were studios and 1% were live/work units.
- 1 bed units formed 45% of the gross supply followed by 2 bed units (38%) and 3+ bed units (17%).

6.5 Since 2005/06 a total of 2,648 net affordable units have been built in the borough. During 2012/13, 564 of the net housing completions were provided as affordable housing units. Looking at the supply in more detail:

- There were 615 newly built affordable units and a loss of 51 units.
- The net affordable housing units completed in 2012/13 is higher than all previous years since 2005/06.
- The affordable units are concentrated in the parts of the borough that are identified in the Core Strategy, with 42% located in Growth and Regeneration Areas and 18% in Local Regeneration Areas. A further 28% of the completions are located at the Heathside and Lethbridge estate and the remaining 12% are spread throughout the borough, mostly in the wards of Sydenham and Ladywell.
- 47% of the gross affordable units are located on sites that provided solely affordable units.

- 53% of the affordable units are located on sites that contain a mix of affordable and market housing, and on average these sites provide 35% affordable units.
- 301 market housing units were provided by Housing Associations, which highlights the need for them to become commercial developers in order to ensure financially viable affordable housing schemes.
- 46% of gross affordable units were provided as social rented units compared with 43% intermediate and 11% affordable rent units. The social rented and affordable rent to intermediate ratio equates to 57:43.
- 96% of the gross new affordable homes were provided as new builds, whilst 4% were house conversions and changes of use.
- 89% of the gross new affordable homes were provided as flats whilst 11% were houses/bungalows.
- 2 bed units formed 48% of the gross supply followed by 1 bed units (27%) and 3+ bed units (25%).

6.6 Section 4 recognises that a range of non residential developments have also taken place across the borough during 2012/13 creating a net gain of 7,933m² of non residential floorspace. This comprised:

- 8,620m² of new business (B) floorspace but also a loss of 12,032m² of existing business floorspace, creating an overall net loss of 3,412m², of which there were:
 - Net losses in large scale business floorspace (above 1,000m²) that occurred at two sites: 124 Deptford High Street and 59 Ladywell Road.
 - A net gain in large scale business floorspace (above 1,000m²) at the Telecom Depot, 27 Fordmill Road.
 - No losses of business floorspace within defined employment areas.
- 5,756m² of new retail (A) floorspace but also a loss of 6,883m² of existing retail floorspace, creating an overall net loss of 1,127m², of which there were:
 - Net losses in large scale retail floorspace (above 1,000m²) that occurred at two sites: 62-66 Rushey Green and the former Tiger's Head P.H.
 - A net gain in large scale retail floorspace (above 1,000m²) that occurred at Loampit Vale.
 - No losses of retail floorspace within district or town centres, with the exception of 62-66 Rushey Green.
- 52,595m² of new community and leisure (D) floorspace but also a loss of 38,688m² of existing community and leisure floorspace, creating an overall gain of 13,907m², of which there were:
 - Net losses in large scale community and leisure floorspace (above 1,000m²) that occurred at three sites: Sydenham School, the former New Cross Hospital site and Rushey Green Primary School.
 - Net gains in large scale community and leisure floorspace (above 1,000m²) that occurred at seven sites including Giffin Street Regeneration Area, Forest Hill Pools and five schools.

- The opening of the Glass Mill Leisure Centre at Loampit Vale and the redevelopment of the Wells Park Community Centre.
- Changes to other types of development including a net gain of 29m² of residential institution (C2) floorspace and a net loss of 1,464m² of sui generis uses.
- Predominantly new housing has been provided on sites where losses of non residential floorspace have been experienced.

6.7 Section 4 also shows that the borough's town and district centres are performing relatively well, with:

- Shops (A1) comprising 81% of Lewisham town centre's primary shopping frontage and 65% of Catford's primary shopping frontage.
- An increase in the proportion of shops at Lewisham and Catford town centres since 2012.
- Slight drops in the number of vacant units at Lewisham and Catford town centres since 2012.
- Vacant units in district centres that range from 7% to 12% and a decrease in the number of vacant units in all except one district centre: Downham.
- Shops that comprise between 41% and 57% of the units in district centres.
- Non A1/A2 uses that comprise between 26% and 46% of the units in district and town centres, with two centres meeting the target of no more than 30% of non A1/A2 uses in primary shopping frontages at Lewisham and Blackheath.

6.8 Section 5 Future Development describes the amount of development that has been approved during 2012/13 for completion in the future. This includes 616 net new homes and both gains and losses of business, retail, leisure and community, residential institution and sui generis floorspace, resulting in an overall net loss of non residential floorspace of 2,642m².

6.9 Section 5 recognises that the majority of planned growth for the borough is yet to come. It provides an update on the progress of strategic sites within the Regeneration and Growth Areas, including Deptford and New Cross, Lewisham Town Centre and Catford Town Centre. Overall, strategic sites are progressing well and are generally being constructed within anticipated timescales, with no significant barriers or major blockages to delay the development of these sites in the future. Recently the Convoys Wharf application has been called in for determination by the Mayor of London.

6.10 Section 5 also includes a housing trajectory and identifies the anticipated amount of residential development over the next 15 years (2014/15 to 2028/29). It shows a strong housing supply with:

- An estimated 6,712 dwellings on 36 sites during the first five years, equivalent to an average of 1,342 dwellings per year.
- An estimated 15,429 dwellings on 65 sites throughout the 15 years, or an average of 1,028 units per year.

- A fluctuating supply of housing, comprised of a good supply in the past, an over supply (or frontloading of sites) during the first five years and then followed by a slight under supply during years 6 – 15.
- Ten out of the next 15 years anticipated to exceed the current annualised London Plan target, when past completions and future projected supply are taken into account.
- An overall small surplus of 87 units by the end of the 15 years (2028/29) when compared to the current cumulative London Plan target.

6.11 Section 6 Other Achievements considers the planning gains accrued as part of development schemes, for the benefit of residents, the local community and the environment. In particular new development schemes have:

- Provided sustainable buildings, with 88% of completed and approved residential units achieving level 4 of the Code for Sustainable Homes (CSH) and the remaining 12% achieving level 3 of the CSH. This is because many of the completions pre-date the requirement to achieve 100% at level 4 of the CSH that was introduced in April 2011.
- Provided adaptable homes, with 66% of completed residential units and 100% approved units meeting Lifetime Homes standards and 7% of completed units and 10% of approved units being Wheelchair Homes.
- Provided more green spaces and have enhanced biodiversity by negotiating ecological features, green roofs and open spaces as part of development schemes. More than five hectares of new open space will be created on the strategic sites in the north of the borough in the future, in areas traditionally deficient in open space.
- Mitigated against flood risk, with no schemes being granted contrary to Environment Agency advice.
- Created a balance between providing sufficient car parking spaces to meet residents needs whilst minimising car parking in high public transport accessibility areas, with some car free developments and many developments with substantially less car parking spaces than residential units.
- Secured almost £1.2 million financial contributions and 150 affordable units through section 106 agreements. The Council will also receive more than £37 million financial contributions as and when the strategic sites that have planning permission start to be built out.

6.12 Section 6 also highlights the collaborative work being carried out between the different Council departments, Government organisations, key stakeholders and the local community in order to enhance the natural and built environment, transport, utility and green infrastructure, economy and community facilities.

Some examples include:

- Enhancing educational facilities with new classes added to a variety of primary schools and more to come in the future.
- Providing advice and support to businesses, employees and those looking for work via a range of initiatives including the Business Advice Service,

Local Labour and Business Scheme, Lewisham Service Providers Forum, Universal Credit Pilot and Strategic Partnership's Family Budgets project.

- Progressing a range of transport and infrastructure projects including the East London Line, Thameslink, Docklands Light Railway and making enhancements to the pedestrian environment at Sydenham High Street, Deptford High Street, Catford Broadway and Ladywell Village.
- Updating the North Lewisham Links Strategy and identifying potential Phase Two links.
- Establishing a renewed Design Review Panel to advise on planning applications, working with property owners to reduce at risk buildings and ensuring development protects the character of Conservation Areas and Locally Listed buildings.
- Enhancing and protecting the environment through advising on planning applications, mitigating against impacts on air quality, extending the Air Quality Management Area at Brockley and Crofton Park and remediating against pockets of contamination.
- Maximising renewable energy and decentralised energy schemes on development sites or future proofing them so that they can subsequently be joined up in the future, working with SELCHP to introduce a decentralised energy network, improving loft and cavity wall insulation in existing buildings and ensuring new developments are energy efficient, meeting the CSH and BREEAM requirements.
- Continuing to maximise opportunities to enhance recycling rates against the target of recycling and composting 21% of household waste.
- Protecting and enhancing the water environment, with developments incorporating Sustainable Urban Drainage Systems and the preparation of a River Corridor Supplementary Planning Document in conjunction with the Environment Agency.
- Retaining 13 Green Flag Awards and securing a new award at Horniman Museum Gardens, managing 37 allotment sites and 84 community gardens.
- Protecting biodiversity with no inappropriate development on SINC sites and holding a programme of conservation events attended by over 16,000 people.

Assessing performance in planning application decisions

6.13 Chapter 7 Planning Service performance provides an overview of the activity of the Planning Service. A total of 2,110 applications were lodged with the Council during 2012/13, including 1,532 applications for planning, 72 advertisement applications and 506 tree applications. Householder applications and Certificates of Lawful Developments were the largest category of development. 10 of the applications related to major developments, above 50 dwellings. 44.4% of major applications were determined within 13 weeks and 71.5% of minor and 77.6% of other applications were determined within eight weeks..

6.14 In 2012/13 there were 72 appeals and Planning Inspectors upheld the majority of the decisions made by the Council, as 76% of appeals were dismissed.

Enforcement activity has increased since 2012 with a total of 83 enforcement activities taking place, 70% of which relate to planning contravention notices.

7. Financial Implications

- 7.1 There are no direct financial implications arising from this report. The AMR will be published electronically on the Council's website and only limited hard copies will be produced, these being funded from within the agreed Planning Service budget.

8. Legal Implications

- 8.1 Section 35 of the Planning and Compulsory Purchase Act 2004 (as amended) requires that every local planning authority must prepare reports containing such information as is prescribed as to:
- (a) the implementation of the local development scheme;
 - (b) the extent to which the policies set out in the local development documents are being achieved.
- 8.2 This report must be made available to the public and must (a) be in respect of a period:
- (i) which the authority considers appropriate in the interests of transparency,
 - (ii) which begins with the end of the period covered by the authority's most recent report, and which is not longer than 12 months or such shorter period as is prescribed.
- 8.3 The report must be in the form prescribed and contain such other matters as is prescribed. The applicable Regulations are the Town and Country Planning (Local Planning) (England) Regulations 2012.
- 8.4 Regulation 34 of the applicable regulations requires that the report contain:
- (a) the title of the local plans or supplementary planning documents specified in the local planning authority's local development scheme;
 - (b) in relation to each of those documents:
 - (i) the timetable specified in the local planning authority's local development scheme for the document's preparation;
 - (ii) the stage the document has reached in its preparation; and
 - (iii) if the document's preparation is behind the timetable mentioned in paragraph (i) the reasons for this; and
 - (c) where any local plan or supplementary planning document specified in the local planning authority's local development scheme has been adopted or approved within the period in respect of which the report is made, a statement of that fact and of the date of adoption or approval.
- 8.5 Where a policy specified in a local plan specifies an annual number, or a number relating to any other period of net additional dwellings or net additional affordable dwellings in any part of the local planning authority's area, the report must specify the relevant number for the part of the local planning authority's area concerned:
- (a) in the period in respect of which the report is made, and
 - (b) since the policy was first published, adopted or approved.

8.6 Where a local planning authority have prepared a report pursuant to regulation 62 of the Community Infrastructure Levy Regulations 2010, the local planning authority's monitoring report must contain the information specified in regulation 62(4) of those Regulations.

9. Crime and Disorder Implications

9.1 There are no direct core indicators relating to crime and disorder issues. However, section 2 of the AMR summarises the latest crime statistics for the borough.

10. Equalities Implications

10.1 The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

10.2 In summary, the Council must, in the exercise of its functions, have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- advance equality of opportunity between people who share a protected characteristic and those who do not.
- foster good relations between people who share a protected characteristic and those who do not.

10.3 The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.

10.4 The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at: <http://www.equalityhumanrights.com/legal-and-policy/equality-act/equality-act-codes-of-practice-and-technical-guidance/>

10.5 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:

1. The essential guide to the public sector equality duty

2. Meeting the equality duty in policy and decision-making
 3. Engagement and the equality duty
 4. Equality objectives and the equality duty
 5. Equality information and the equality duty
- 10.6 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at:
<http://www.equalityhumanrights.com/advice-and-guidance/public-sector-equality-duty/guidance-on-the-equality-duty/>
- 10.7 The Council's Comprehensive Equality Scheme for 2012-16 provides an overarching framework and focus for the Council's work on equalities and helps ensure compliance with the Equality Act 2010.
- 10.8 Although the AMR does not have any direct equalities implications, the information and data reported, along with known and emerging data from the Census 2011 and other sources will highlight and inform equalities impacts and implications for services provided by the Council. The AMR data reflects known trends such as a young population, high levels of youth unemployment, low incomes and a diverse ethnic population. The relevant service directorates are already considering these equality implications.
- 11. Environmental Implications**
- 11.1 An overview of the latest actions to enhance the borough's environment are reported in section 6 of the AMR.
- 12. Children and Young People's Implications**
- 12.1 The AMR recognises known trends such as a high proportion of the borough's population being under 15 years old and that this proportion is set to increase in the future. This will have a significant impact on the services the borough provides.
- 13. Sustainable Community Implications**
- 13.1 The AMR shows considerable changes have taken place in Lewisham since the 2001 Census. A key factor in relation to sustainable communities is the change in housing tenure with private renting now reaching 24.3%, similar to the London average of 25.0%.
- 14. Conclusion**
- 14.1 The AMR sets out a great deal of information about both Lewisham and the Planning Service. The impact from the economic recession in 2008 is still visible but it is evident that non residential development such as retail, employment and leisure and community use floorspace is taking place in the borough. Completed

residential development is higher than previous years and above the current London Plan annual target. There is also a good committed housing supply for future years. Overall, the AMR demonstrates that progress is being made towards achieving the Core Strategy's vision for regeneration and growth of the borough.

14.2 It is recommended that the Mayor note the content of the AMR 2012/13 and approves its publication on the Council's website.

15. Background documents and originator

Short Title Document	Date	File Location	File Reference	Contact Officer	Exempt
Planning & Compulsory Purchase Act 2004	2004	Laurence House	Planning Policy	Brian Regan	No
Localism Act 2011	2011	Laurence House	Planning Policy	Brian Regan	No
National Planning Policy Framework (NPPF) 2012	2012	Laurence House	Planning Policy	Brian Regan	No
Town and Country Planning (Local Planning) (England) Regulations 2012	2012	Laurence House	Planning Policy	Brian Regan	No

If you have any queries on this report, please contact Brian Regan, Planning Policy Manager, 3rd floor Laurence House, 1 Catford Road, Catford SE6 4RU – telephone 020 8314 8774.

Annex 1: Planning Service Annual Monitoring Report 2012/13