

MAYOR AND CABINET		
Report Title	A New Lewisham Local Plan: consultation on main issues	
Key Decision	Yes	Item No.
Ward	All	
Contributors	Executive Director for Resources and Regeneration	
Class	Part 1	Date: 15 July 2015

1. Summary

- 1.1 The Planning Service is undertaking a first round of public consultation on the production of a new Lewisham wide Local Plan. There are statutory requirements which specify the process for adopting a Local Plan. These involve an early round of public consultation on the main issues to be addressed in the Local Plan. This round of consultation seeks to meet the requirements for initial consultation. As part of the development plan process the Lewisham constitution requires the consultation document be approved by Full Council.

2. Purpose

- 2.1 This report seeks the Mayor's agreement to undertake public consultation on the main issues to be addressed in the new Lewisham Local Plan.

3. Recommendations

- 3.1 The Mayor is recommended to approve the ***Lewisham Local Plan: Consultation on Main Issues*** for public consultation and recommend the Full Council do the same. The consultation document is set out as Appendix 1 to this report.
- 3.2 The Mayor is recommended to delegate authority to the Executive Director of Resources and Regeneration to make any minor alterations to the consultation document prior to the start of the formal consultation.

4. Policy Context

- 4.1 The contents of this report are consistent with the Council's policy framework. The new Lewisham Local Plan will replace in time the current statutory plans for the borough. When adopted it will become part of the Lewisham policy framework and will contribute to the implementation of each of the Council's ten priorities as follows:

- community leadership and empowerment
- young people's achievement and involvement

- clean, green and liveable
- safety, security and a visible presence
- strengthening the local economy
- decent homes for all
- protection of children
- caring for adults and older people
- active, healthy citizens
- inspiring efficiency, effectiveness and equity

4.2 The new Lewisham Local Plan will help give spatial expression to the Sustainable Community Strategy (Shaping Our Future) (SCS), which was prepared by the Local Strategic Partnership and adopted by the Council in May 2008. The new Borough Local Plan will also play a central role in the implementation of the SCS vision *'Together we will make Lewisham the best place to live, work and learn'* and all of the six strategic priorities, which are:

- Ambitious and achieving – where people are inspired and supported to fulfil their potential
- Safer – where people feel safe and live free from crime, antisocial behaviour and abuse
- Empowered and responsible – where people are actively involved in their local area and contribute to supportive communities
- Clean, green and liveable – where people live in high quality housing and can care for their environment
- Healthy, active and enjoyable – where people can actively participate in maintaining and improving their health and well-being
- Dynamic and prosperous – where people are part of vibrant communities and town centres, well connected to London and beyond

4.3 The new Lewisham Local Plan will help implement a range of other Council policies and strategies.

5. Background

5.1 The new Lewisham Local Plan, when adopted, will be part of Lewisham's statutory planning framework. The National Planning Policy Framework (NPPF) 2012 changed the old development plan system which encouraged local planning authorities to produce a suite of development plan documents to one which encourages the production of a single local plan for the area. Paragraph 153 of the NPPF states 'each local planning authority should produce a Local plan for its area....Any additional development plan documents should only be used where clearly justified'.

5.2 Lewisham has already produced and adopted a suite of development plan documents including the Core Strategy (2011); Site Allocations Local Plan (2013); Lewisham Town Centre Local plan (2014) and the Development Management Local Plan (2014). The Core Strategy is the key planning document and set out the spatial

strategy to deliver growth over the period 2011 – 2026 and is the document all the other development plan documents seek to implement.

- 5.3 There are three basic reasons why we need to update and replace our development plan documents. Firstly, the many Government changes to national planning policy means there is a danger of our policies being considered out of date. The Core Strategy was adopted prior to the NPPF and our policies are required to be in conformity with national policy. The Government have also made a number of other policy changes that impact on our current policies and therefore need to be revised. For example, there have been changes to national policy relating to affordable housing, residential space standards and change of use of retail units and these and other changes need to be reflected in Lewisham planning policy.
- 5.4 Secondly, the London Plan (2011) has been changed three times since the Core Strategy was adopted. The borough development plan is required to be in general conformity with the London Plan. Our policies could therefore be considered out of date regarding the London Plan. In particular, the latest Further Alterations to the London Plan adopted May 2015 has set new minimum housing targets for the borough. These are new challenging minimum targets for Lewisham and have risen from 1,100 to 1,385 new homes per annum. The new plan will have to say how Lewisham intends to deliver these and possibly higher targets identified from the objectively assessed need methodology.
- 5.5 Thirdly, there have been many social and economic changes since the Core Strategy was adopted in 2011. The household and population growth in London has been much higher than predicted. The 2011 Census showed that London's population had already exceeded 8 million yet the prediction had been that it would not reach this level until 2016. This growth has multiple consequences included demand for housing and health and education infrastructure. The global economic recession of 2008 had impacts on many sectors of the economy, for example, some house building programmes were stalled and many high street shops went out of business. The current evidence shows that Lewisham is doing relatively well on house building and in relation to vacant shop units but nevertheless there have been impacts which need to be addressed in the new plan.
- 5.6 The NPPF, paragraph 213 states 'Plans may, therefore, need to be revised to take into account the policies in this framework. This should be progressed as quickly as possible, either through a partial review or by preparing a new plan.' If the development plan for the borough is not kept up to date planning decisions will be challenged and Inspectors will give the policies less weight in decisions on planning appeals. These factors all indicate the need for a new local plan for the borough.
- 5.7 The process for adopting a development plan is prescribed by legislation and government guidance. Of particular importance are the Planning and Compulsory Purchase Act 2004 (as amended); the Town and Country Planning (Local Planning) (England) Regulations 2012 and the National Planning Policy Framework (NPPF) which was introduced in March 2012.

- 5.8 In summary, the regulations and guidance indicate that a new Lewisham Local Plan will need to address the following stages:
- Consultation on Issues and Options (regulation 18)
 - Consultation on Preferred Options (regulation 18)
 - Consultation on Proposed Submission and Submission Plan (regulations 19-22)
 - Independent Examination in Public (regulation 24)
 - Inspectors report on 'soundness' (regulation 25)
 - Adoption by Council (regulation 26)

6. New Lewisham Local Plan – First Stage Public Consultation

- 6.1 As indicated above the regulations require an early round of consultation with the public and other stakeholders. This initial round of consultation must notify interested people about the intention to produce a new borough local plan and identify the main issues that the local plan will address and invite representations on these topics. Officers propose to meet this statutory requirement by consulting on the proposed spatial strategy and the main issues the new Lewisham local plan will address. The first stage public consultation document is set out as Appendix 1 to this report.
- 6.2 The NPPF and National Planning Policy Guidance (NPPG) make clear that Local Planning Authorities should work with infrastructure providers and other authorities to assess the quality and capacity of existing infrastructure, identify future needs and set out what infrastructure is required to deliver the development plan. The Council prepared an Infrastructure Delivery Plan (IDP) in 2010 to inform and support the current Core Strategy and, subsequently, the development of Lewisham's Community Infrastructure Levy (CIL). Work has started on revising the scope and content of the IDP to inform the new Lewisham Local Plan and revised CIL. It is proposed to consult on the baseline study for the new IDP alongside the consultation on the new Lewisham Local Plan. This document will establish a baseline of existing infrastructure facilities, key relevant strategies and plans and current committed and planned infrastructure projects.
- 6.3 The Regulations and the Council's adopted Statement of Community Involvement (SCI) require the Planning Service to consult the public and other stakeholders at regular intervals during the preparation of the new Borough Local Plan. This first round of public consultation will run for a minimum period of 6 weeks and will involve a number of different techniques of consultation. This will involve, but is not limited to, display on the council web site; placing copies in all libraries; mail out to all those on the planning policy database and a series of targeted meetings with the community and business interests. The details are set out in the Consultation Strategy attached as Appendix 2 to this report.

7. Summary of Main issues consultation document

- 7.1 The new 'Lewisham Local Plan: Consultation on Main Issues' is set out as Appendix 1 to this report. The document is structured as follows:
- Introduction
 - Drivers for Change
 - The Spatial Strategy
 - Housing
 - Employment
 - Retail
 - Transport
 - The Environment
 - Urban Design and Conservation
 - Community Facilities, Education and Health
 - Next Steps
- 7.2 The introduction sets the scene and explains why a new Local Plan is needed and that a Sustainability Appraisal will be produced alongside the Local Plan to ensure it is the most sustainable plan we can achieve. The Drivers of Change section sets out the extent of the challenge given by the population growth and housing need. The Spatial Strategy section reviews the strategy set out in the Core Strategy and finds it generally fit for purpose but acknowledges that new sites and further intensification will be required.
- 7.3 The bulk of the document then addresses subject topics to identify the main issues that the new Lewisham Local Plan will need to deal with. Each section provides a summary of the national and regional policy requirements; reviews the evidence available, sets out the main issues to be addressed and then asks some consultation questions on the approach proposed. A summary is given below.
- 7.4 Housing is probably the biggest challenge the new Local Plan must address. This section sets out the planning policy requirements for Lewisham to meet including the objectively assessed need for 25,000 new homes in the Local Plan period 2018-2033. It reviews the need for affordable housing; the governments new national housing standards which mean Lewisham must opt-in to these higher standards through its Local Plan. Other issues the Local plan will address include the need for older people and student housing; development in back gardens and infill sites; conversion of larger dwellings into flats; houses in multiple occupation and residential design and density.
- 7.5 The Employment section discusses the land and buildings in the borough that are used for employment, that is, employment in offices, industry and warehouses. The trends in these uses are discussed and the current policy to classify employment land as strategic industrial land, local employment land, mixed use employment land and other employment land, is described. The current policy is to protect the best quality sites while allowing redevelopment

on poorer quality sites. Some consultation questions are asked concerning future policy direction.

- 7.6 The Retail section sets out the current retail hierarchy for planning purposes and discusses some of the issues that face the different centres. The Major centres at Lewisham and Catford and the district centres at Blackheath, Deptford, Downham, Forest Hill, Lee Green, New Cross and Sydenham, all perform a different role and function. The main issues are how to maintain vibrant town centres; dealing with the variety and type of uses and vacant properties. At the local shopping level the main issue is economic viability and change of use away from a shop to other uses such as residential or take away uses.
- 7.7 The Transport section considers the delivery of large scale transport infrastructure such as the proposed Bakerloo Line extension and improvements to the A205 South Circular at Catford. These schemes are delivered by strategic providers such as Transport for London or Network Rail and the Council has a promotional role to influence early provision. Other transport issues considered are the location of large scale development in areas of good public transport provision; Parking in new development; promoting walking and cycling and protecting essential transport infrastructure such as bus garages from redevelopment.
- 7.8 The Environment section deals with issues relating to climate change, sustainability, open space, waste and environmental protection. Current policy in relation to sustainable development refers to the Code for Sustainable Homes which the Government has abolished so a new approach will be required. The increased population will put extra pressure on the use of Lewisham's open spaces and policy will need to protect these valuable assets. The London Plan directs the Borough to find sites to deal with waste and this will need to be reviewed. Other issues concerning environmental protection relating to air quality, land contamination and noise will also need to be addressed.
- 7.9 The Urban Design and Conservation section deals with issues relating to high quality design, the creation of visually interesting and coherent townscape, the creation and preservation of residential amenity and the preservation or enhancement of conservation areas and listed buildings. The issue of increased density while maintaining quality and a 'sense of place' is covered as is the issue of maintaining the character of certain areas which might experience rapid change and growth.
- 7.10 The Community facilities, Education and Health section deals with the social infrastructure necessary for a sustainable community. These facilities include: education, healthcare, leisure, arts, cultural, entertainment, sports, emergency services, places of worship and cemeteries. The main issue for community facilities is protecting those which are needed from inappropriate

redevelopment. In education, it is providing enough school places for the growing population and in health it is how to use the planning system to help improve the general health of the population.

- 7.11 The Next Steps section sets out the process for delivering the new Local Plan. The comments made at this early consultation will be taken into account to inform a more detailed consultation on policy options for early next year. Following that consultation a draft Local Plan will be prepared for submission to the Planning Inspectorate for an independent review. The Inspector will make recommendations about changes which the Council must make before it can go onto adopt the new Local Plan.

8. Financial Implications

- 8.1 There are no direct financial implications arising from this report. The consultation will be delivered within the agreed Planning Service budget.

9. Legal Implications

- 9.1 The procedures which the Council is required to follow when producing a new local plan derive from the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2012.

- 9.2 This report seeks authority to consult on the Council's proposed intention to create a new local plan.

- 9.3 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. 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.

- 9.4 The duty continues to be a "have regard duty", and the weight to be attached to it is a matter for the decision maker, 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.

- 9.5 The Equality and Human Rights Commission provides 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/>

9.6 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

9.7 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. Crime and Disorder Implications

10.1 There are no direct implications relating to crime and disorder issues.

11. Equalities Implications

11.1 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. The proposals set out in this report accord with the Council's Comprehensive Equalities Scheme; particularly as they relating to: 'increasing participation and engagement'.

11.2 The process of producing the new Local Plan will include an equalities appraisal to identify equalities impacts and implications of emerging policy options.

12. Environmental Implications

11.1 There are no direct environmental impacts arising from this report.

13. Conclusion

13.1 The Planning Service will be consulting on the first stage of preparing a new Lewisham Local Plan this year. This early round of consultation is intended to notify the public and other specified bodies about the Councils intention to

produce a new Local Plan and identify the main issues that the new Plan will seek to address. There are formal regulations that specify what consultation must take place and as a minimum these will be met.

14. 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.

Appendix 1: New Lewisham Local Plan – Consultation on Main Issues

Appendix 2: Borough Local Plan – consultation strategy