

Sustainable Development Select Committee		
Title	Planning Service Annual Monitoring Report 2016-17	
Contributor	Planning Service	Item 7
Class	Part 1 (open)	11 December 2017

1. Purpose

- 1.1. The report provides an overview of the Planning Service Annual Monitoring Report for the monitoring period 1st April 2016 to 31st March 2017.

2. Recommendation

- 2.1. The Select Committee is asked to note the content of the AMR 2016-17 in Annex 1, note that it has been considered by the Mayor and Cabinet on 6th December 2017 and direct questions to officers at the meeting on 11th December 2017.

3. Policy context

- 3.1 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.
- 3.2 The AMR supports the following SCS objectives:
- *Empowered and responsible*: where people can be 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 and enjoy 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.
- 3.3 The AMR is particularly relevant in monitoring performance against the following Corporate Priorities:
- *Community leadership and empowerment* – developing opportunities for the active participation and engagement of people in the life of the community.
 - *Clean, green and liveable* – through promoting a sustainable environment.
 - *Strengthening the local economy* – gaining resources to regenerate key localities, strengthen employment skills and promote public transport.
 - *Decent homes for all* – investment in social and affordable housing.
 - *Active, healthy citizens* – leisure, sporting, learning and creative activities for everyone.

- *Inspiring efficiency effectiveness and equity* – ensuring efficiency, effectiveness and equity in the delivery of excellent services to meet the needs of the community.

4. Background

4.1 Local Planning Authorities are required to produce an annual monitoring report, having collected information during the monitoring year, and to make it available to the public via the Council's website (on both the Planning Policy webpage and the Community Infrastructure Levy webpage) and at their offices during normal office hours. The AMR should report on the progress of local plan preparation against the timetable set out in the Local Development Scheme and monitor activities relating to the Community Infrastructure Levy (CIL), Neighbourhood Planning, the Duty to Co-operate and Prior Approvals.

4.2 The Council has produced an AMR annually for the last 12 years. This year's AMR is divided into six chapters:

Chapter 1: Introduction and Context explains the preparation of the AMR, relevant legislation and provides a borough profile.

Chapter 2: Development in 2015-16 provides an overview of the type and amount of development that has taken place during 2016-17. It also assesses whether Core Strategy and London Plan targets have been met.

Chapter 3: Future Development provides an overview of the type and amount of development approved for the future. It gives an overview of the Regeneration and Growth Areas and the progress made on the strategic sites. It also considers the likely housing land supply for the future, based on a housing trajectory.

Chapter 4: The Value of Planning highlights the funding secured through Section 106 Agreements (S106), Community Infrastructure Levy (CIL) and the Government's New Homes Bonus. It also summarises the investment taking place in the borough and highlights the high quality of design in new developments.

Chapter 5: Planning Service Performance discusses Local Plan preparation as measured against the Local Development Scheme, Neighbourhood Planning activities and the Duty to Co-operate with other councils. It assesses the performance of the planning service in terms of planning applications, planning appeals and enforcement action. It also highlights conservation and urban design initiatives.

Chapter 6: Conclusions provides a summary of the main achievements in 2016-17 and identifies any areas of concern that need to be monitored.

5. Overview of the AMR 2016-17

5.1 It is important to remember the context within which the AMR sits. The borough has continued to experience significant population and household growth. Therefore new development, housing and infrastructure will be needed to accommodate this growth, and to contribute to the regeneration of the borough.

5.2 The AMR acknowledges a number of main achievements in 2016-17 but also highlights some areas of concern that remain relevant from last year's AMR. The summary below relates specifically to: A. Housing, B. Non-residential development and C. Planning Service performance.

A Housing

- 5.3 Overall a good supply of housing has been completed and approved during 2016-17, significant progress has been made on the strategic sites and there is a resilient supply of housing in the next 15 years. The supply will fall short of the current cumulative London Plan housing target by 2029/30 and there will be a significantly higher housing target in the forthcoming draft London Plan.
- 5.4 With 1,604 net dwellings completed during 2016-17, completions were the second highest in the last 12 years. This, together with the 177 vacant units that have been brought back into use, exceed the current London Plan target of 1,385 dwellings per annum by 29%.
- 5.5 70% of the completions were concentrated on seven major (50+ units) and strategic (100+ units) sites at Greenland Place on Plough Way, Heathside and Lethbridge, Lewisham Gateway, Catford Green, SR House at Childers Street, 120 Tanners Hill and land north west of Sherwood Court.
- 5.6 Planning approvals during 2016-17 amount to 1,202 dwellings. 80% will be located on six major (50+ units) and strategic (100+ units) sites at Arklow Trading Estate, Catford Green, Bond House at Goodwood Road, 19 Yeoman Street, 43-49 Pomeroy Street and rear of Chiddingstone House.
- 5.7 The majority of housing completions (66%) and housing approvals (64%) continue to be concentrated in the Regeneration and Growth Areas and this is key in helping to regenerate the borough. The type of housing reflects the modern-day housing market in that the majority of housing completions and approvals are flats, purpose built new dwellings and smaller one and two-bedroom units.
- 5.8 327 net new affordable homes have been completed during 2016-17 and 235 have been approved. This represents 20% of the total net completions and 20% of the total net approvals. Both are below the 50% Core Strategy target. The Council will continue to negotiate for the highest amount of affordable housing possible on appropriate sites, taking account of development viability, market and economic conditions, and the need to balance the wider regeneration ambitions and the provision of affordable housing, with delivering a range of other on-site and off-site benefits for local communities, businesses and residents.
- 5.9 The social rent/affordable rent: intermediate ratio is 64:36 for completions and 72:28 for approvals, both of which broadly meet the 70:30 tenure target identified in the Core Strategy. This ratio fluctuates each year dependent upon the development viability of individual sites and the preferences of developers and affordable housing providers.

5.10 Good progress is being made on the five strategic sites allocated in the Core Strategy:

- Three parts of the Plough Way site (encompassing Cannon Wharf which is now known as Greenland Place, Marine Wharf West and 7-17 Yeoman Street) have been completed and the remaining parts (Marine Wharf East and 19 Yeoman Street) are under construction.
- The first phase of Lewisham Gateway including the road realignment, has been completed and the second phase is under construction.
- Oxestalls Road (now known as The Timber Yard) is also under construction.
- Convoys Wharf has started enabling works and the first reserved matters application is due to be submitted soon. Pre-application discussions about the second development plot have also begun.
- Surrey Canal Triangle has planning permission.

5.11 There is a resilient supply of housing land for the next 15 years, with a supply of 13,940 dwellings and 46% of the units being developed in the first five years. Only six out of 110 sites are identified as being at medium/high risk of not being implemented. Despite this supply of deliverable units, and including the above target performance in the past, the current supply is projected to fall short of the current cumulative London Plan target by 2029-30.

5.12 The housing target will be significantly increased in the new London Plan with a draft to be published in November 2017. To help meet the increased target the Council has input into the London-wide Strategic Housing Land Availability Assessment (SHLAA) and has identified potential development sites that will significantly boost the 15 year housing supply in the future. A deliverable long-term supply will also be secured as new sites are identified and come forward, planning permissions are granted, and more complex sites are unlocked in a timely manner. The delivery of small sites, windfall development, and the long term vacants brought back into use will further assist supply.

B Non-residential development

5.13 Despite gains in some types of non-residential floorspace, the trend for prior approvals converting business floorspace to residential continues and there has been an overall net loss of non-residential floorspace.

5.14 There has been a net loss of 23,802m² of non-residential floorspace from completions in 2016-17, whilst planning approvals granted in the monitoring period will result in a net loss of 12,461m², if implemented. In particular, there have been large scale losses of business floorspace (23,284m² for completions and 6,071m² for approvals). However, this loss of non-residential floorspace helps with the delivery of comprehensive regeneration schemes across the borough, which have provided much needed housing and other benefits for local communities. It helps to re-provide new business and retail floorspace that is more suited to the modern-day economy and a growing retail economy. It also helps in terms of job creation as most of the sites being developed for a mix of uses generate a significant uplift in the amount of jobs created compared to before.

- 5.15 The trend of losing non-residential floorspace to solely housing continues from previous years. 39 completed sites and 23 approved sites have been/will be solely redeveloped for housing.
- 5.16 Overall 14% of completed floorspace and 22% of approved floorspace relate to Prior Approvals. This allows offices and shops to be converted into residential dwellings without the need for full planning consent being granted by the Council. Prior Approvals tend to provide mostly small units consisting of studios or one-bedroom flats, which generally will not be able to cater for the needs of local families. The loss of offices and shops via Prior Approvals is also potentially detrimental to local economic diversity and could undermine the supply of employment land in the future.

C Planning Service performance

- 5.17 Overall the Planning Service has performed well during 2016-17, in many instances bettering outcomes from the previous year.
- 5.18 During 2016-17, £7.8 million was received from Section 106 Agreements (S106), £4.4 million was received in CIL payments and £2.9 million was collected for the London Mayor's CIL.
- 5.19 To analyse the effectiveness of viability assessments, a report which summarises key assumptions of viability reports against what has actually occurred will be finalised in early 2018 and viability information will be reported annually in subsequent AMRs.
- 5.20 The Council's latest 2017-18 allocation for the New Homes Bonus will be £10.1 million. This, together with the amount received by the Council since the initiative started in 2011, equates to £40.3 million.
- 5.21 The Planning Service have been working with external agencies to bring forward investment in the borough. Transport for London (TfL) have also confirmed their commitment to Phase 1 of the Bakerloo Line Extension (BLE). This will help support the anticipated growth in South London by improving transport infrastructure, supporting regeneration in the Opportunity Areas including at New Cross Gate and Lewisham town centre and provide additional capacity on the underground line.
- 5.22 The Council has started to prepare a number of studies including the Lewisham Interchange Study and the New Cross Masterplan and Station Study, to ensure the development opportunities associated with key transport improvements, including Phase 1 BLE, are captured and maximised.
- 5.23 The Planning Service has driven up the quality of design of new development that is taking place in the borough. This is being recognised, as during 2016-17 a number of developments won a range of design awards, including: PLACE/Ladywell, Deptford Market Yard, Surrey Canal Linear Park and Millwall Quietway.

- 5.24 Both the Local Plan and the Gypsy and Traveller Site(s) Local Plan are underway but have experienced delays and are being progressed at a slower pace than anticipated in the Local Development Scheme (LDS). However, these delays have provided the Council with a number of opportunities including:
- Revisiting the scope of the Local Plan, reconsidering the spatial strategy, progressing evidence base studies and aligning the Local Plan with the emerging policies from the London Plan.
 - Close working with the GLA and inputting into the London-wide SHLAA,
 - Preparation of a Direction of Travel document which sets out the Council's intentions for growth and ensures development opportunities are captured and maximised.
 - Preparation of additional studies including the Lewisham Interchange Study, Lewisham Tall Buildings Study, New Cross Masterplan and Station Study and the A2 Corridor Study.
 - Providing time to ensure that the Council can make a fully informed decision in the future regarding the preferred gypsy and traveller site, taking account of the many complex issues raised during consultation, further discussions with key stakeholders and further site studies.
- 5.25 Neighbourhood planning is gathering pace as the Council has formally designated five neighbourhood forums and areas at Crofton Park and Honor Oak Park, Grove Park, Corbett Estate, Deptford Neighbourhood Action Community Group and Lee Community Group. All of these forums are preparing their Neighbourhood Plans. Upper Norwood and Crystal Palace submitted an application for a neighbourhood forum and area but has not yet been designated.
- 5.26 The Council meets quarterly with the surrounding London Boroughs of Bexley, Bromley, Greenwich and Southwark, as part of the Duty to Co-operate. The Council has also participated in a range of sub regional meetings including ALBPO, London Waste Planning Forum, London Boroughs Neighbourhood Plans Group and various GLA meetings.
- 5.27 The Planning Service has implemented a Self-build and Custom Housebuilding Register with access via the Council's website. To date, 98 people or organisations have registered their interest.
- 5.28 A total of 2,973 valid applications were lodged with the Council during 2016-17. The majority of applications received were planning applications (80%) and in terms of size of applications, the majority were minor applications (39%), followed by householder applications (33%). The performance for determining major, minor and other applications exceeded all target levels. The Council also dealt with 1,018 other types of applications including Prior Approvals, non-material amendments (NMA) and approval of details (AOD).
- 5.29 Appeals performance is better than the national average with 194 appeals lodged in 2016-17, of which only 25% were upheld. 466 enforcement cases were opened in 2016-17 and 23 enforcement notices were served.

- 5.30 The borough has a rich heritage with 367 entries on the national list, 301 entries on the local list, 28 Conservation Areas, 21 Areas of Archaeological Priority and a World Heritage Site buffer zone. Two grade II buildings have been listed this monitoring year including Lewisham War Memorial at Memorial Gardens and St. Stephen's Church War Memorial. 18 buildings/ structures and Deptford High Street Conservation Area currently remain on the Heritage at Risk Register. Future plans for restoration of ten tombs within St Margaret's Old Churchyard and Listed Building Consents at Beckenham Place Stable block, Riley's Temperance Hall and the Fellowship Inn Hall will allow their structures to be removed from the Register in the future. The Deptford Ramp has been removed from the register this year, as it has been restored as part of the Deptford Market Yard development.
- 5.31 28 schemes have been reviewed by the Design Review Panel during 2016-17, providing design advice at application and pre-application stage and helping to address design concerns at an early stage in the planning process.

6 Financial implications

- 6.1 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.
- 6.2 Although there are no direct implications, the AMR reports on the delivery of housing and this does have a number of positive financial implications. Through Council Tax, each new dwelling generates an average income of just under £1,000. So the 1,420 net dwellings completed during 2016-17 will amount to £1.4 million and the 1,060 anticipated completions for next year, 2017-18, will amount to £1 million. The five year housing land supply estimates approximately another 6,500 new dwellings will be built by 2023 which will also generate an extra £6.6 million for the Council. This level of housebuilding does create additional pressures across all Council services, e.g. refuse collection, school spaces etc., but some of this Council Tax income will help to ease the savings requirement on the Council as a whole.
- 6.3 New dwellings generate a payment from the New Homes Bonus (NHB), at least for a time limited period (currently six years). Since NHB started in 2011, the Council has received £40.3 million, including the £10.1 million allocated for 2017-18. It is expected that in the future there will a reduction in the value of NHB payments as they will be made for 5 years, rather than 6 years, and will be reduced again to 4 years from 2018/19. Despite this, the amount of dwellings anticipated to be built in the future will still provide significant NHB annual income for the Council.
- 6.4 The delivery of new homes off sets the amount of money the Council spends on accommodating homeless families. For instance, the temporary scheme at PLACE/Ladywell that was completed during 2016-17 currently provides accommodation for 23 homeless families. It is estimated that this one scheme alone will create a saving of at least £90,000 per year compared to

the Council providing nightly paid accommodation. The rent generated from this scheme provides extra income for the Council too.

- 6.5 Section 106 and CIL also generate significant amounts of income for the Council and this is directly associated with the amount of development taking place in the borough. During 2016-17, £7.8 million was received from Section 106 and £4.4 million CIL payments have been paid. Furthermore, the amount of dwellings anticipated to be built in the future will generate significant funds for the Council and CIL collection rates will increase as more developments become CIL liable.

7 Legal implications

- 7.1 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.
- 7.2 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.
- 7.3 The report must be in the form prescribed by statutory instruments and contain such other matters as is prescribed. The report must be made available to the public. The applicable Regulations are the Town and Country Planning (Local Planning) (England) Regulations 2012.
- 7.4 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.

- 7.5 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.
- 7.6 Where a Local Planning Authority have made a neighbourhood development order or a neighbourhood development plan, the report must contain details of these documents.
- 7.7 Where a Local Planning Authority have prepared a report pursuant to [regulation 62](#) of the [Community Infrastructure Levy Regulations 2010](#) (being a report for the reported period setting the total CIL receipts for the year and the total CIL expenditure, with a summary of details), the Local Planning Authority's monitoring report must contain the information specified in [regulation 62\(4\)](#) of those Regulations.
- 7.8 Where the Local Planning Authority has cooperated with another Local Planning Authority or other prescribed body or person the monitoring report must give details of what actions they have taken during the period covered by the report.
- 7.9 The Equality Act 2010 (the Act) introduced a public sector equality duty (the equality duty or the duty). It covers the following protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 7.10 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.
- 7.11 It is not an absolute requirement to eliminate unlawful discrimination, harassment, victimisation or other prohibited conduct, or to promote equality of opportunity or foster good relations between persons who share a protected characteristic and those who do not. It is a duty to have due regard to the need to achieve the goals listed at 10.4 above.
- 7.12 The weight to be attached to the duty will be dependent on the nature of the decision and the circumstances in which it is made. This is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. The Mayor

must understand the impact or likely impact of the decision on those with protected characteristics who are potentially affected by the decision. The extent of the duty will necessarily vary from case to case.

7.13 The Equality and Human Rights Commission has 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: <https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-codes-practice>
<https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-technical-guidance>

7.14 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: A guide for public authorities.
4. Objectives and the equality duty. A guide for public authorities.
5. Equality Information and the Equality Duty: A Guide for Public Authorities.

7.15 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: <https://www.equalityhumanrights.com/en/advice-and-guidance/public-sector-equality-duty-guidance>

8. Conclusion

8.1 The AMR sets out a great deal of information about both the development taking place in the borough and the Planning Service. The majority of the development reflects the spatial strategy and policies set out in the Core Strategy. The Planning Service has maintained a high level of service and provided a proactive approach to development in the borough.

8.2 The concerns raised in the AMR will need to be further monitored in future AMRs to determine long term impacts and assess whether current policies need to be changed in the forthcoming Local Plan.

8.3 It is recommended that the Select Committee note the contents of the AMR 2016-17 in Annex 1, note that it has been considered by the Mayor and Cabinet on 6th December 2017 and direct questions to officers at the meeting on 11th December 2017.

9. Background Documents:

Short Title Document	Date	File Location	File Reference	Contact Officer	Exempt
Planning & Compulsory Purchase Act https://www.legislation.gov.uk/ukpga/2004/5/contents	2004	Laurence House	Planning Policy	Angela Steward	No
Localism Act http://www.legislation.gov.uk/ukpga/2011/20/contents/enacted	2011	Laurence House	Planning Policy	Angela Steward	No
National Planning Policy Framework (NPPF) https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf	2012	Laurence House	Planning Policy	Angela Steward	No
Town and Country Planning (Local Planning) (England) Regulations http://www.legislation.gov.uk/uksi/2012/767/contents/made	2012	Laurence House	Planning Policy	Angela Steward	No
Community Infrastructure Levy Regulations https://www.legislation.gov.uk/ukdsi/2010/9780111492390/contents	2010	Laurence House	Planning Policy	Angela Steward	No
Housing and	2016	Laurence	Planning	Angela	No

Planning Act http://www.legislation.gov.uk/ukpga/2016/22/contents/enacted		House	Policy	Steward	
Self-build and custom Housebuilding Act http://www.legislation.gov.uk/ukpga/2015/17/contents	amended 2016	Laurence House	Planning Policy	Angela Steward	No
Brownfield Land Register Regulations http://www.legislation.gov.uk/uksi/2017/403/made/data.pdf	2017	Laurence House	Planning Policy	Angela Steward	No
Permissions in Principle Order http://www.legislation.gov.uk/uksi/2017/402/made/data.pdf	2017	Laurence House	Planning Policy	Angela Steward	No
Neighbourhood Planning Act http://www.legislation.gov.uk/ukpga/2017/20/contents/enacted	2017	Laurence House	Planning Policy	Angela Steward	No

If you have any questions about this report, please contact Angela Steward, Senior Planning Policy Officer (ext. 43885).

Annex 1: Planning Service Annual Monitoring Report 2016-17