

## Lee Neighbourhood Plan – Decision Statement

### 1. Summary

- 1.1. Following and independent examination of the Lee Neighbourhood Plan (“the Plan”), the London Borough of Lewisham and the Royal Borough of Greenwich (“the Councils”) recommends that the Plan proceeds to a referendum subject to the modifications outlined in Table 1 of this statement
- 1.2. The Councils agree with the examiners recommendations that the referendum area for the Lee Neighbourhood Plan (as modified) should be the designated neighbourhood area set out in Figure 1 of this report.
- 1.3. This decision statement, the examiners report and all other documents associated with the draft Plan are available for inspection via download from the following websites:
  - [Royal Borough of Greenwich](#)
  - [London Borough of Lewisham](#)
- 1.4. A physical copy of the draft Plan will also be made available for inspection at Manor House Community Library during the referendum period.
- 1.5. If the Plan is approved at referendum, the Councils will use it alongside the London Plan, Lewisham’s Local Development Framework and Royal Greenwich Local Plan when assessing planning applications within the Lee Neighbourhood Area.

### 2. Background

- 2.1. The Councils formally designated the Lee Neighbourhood area and the Lee Neighbourhood forum in January 2016 in accordance with Section 61G of the Town and Country Planning Act 1990.
- 2.2. The designation of the Forum lapsed after the 5 year term and was formally re-designated by both Councils in June 2021 for a further 5 year term.
- 2.3. The draft Plan was formally submitted to the Councils at Regulation 15 in January 2022 where an internal assessment by council officers found the draft Plan complied with the statutory requirements and a Regulation 16 public consultation could be held.
- 2.4. The Regulation 16 public consultation was held over a period of 8 weeks from 11<sup>th</sup> March 2022 to 6<sup>th</sup> May 2022.
- 2.5. The Councils, in consultation with the forum appointed Derek Stebbing BA (Hons) DipEP MRTPI as the independent examiner, to review whether or not the Plan meets the basic conditions as set out below, and to determine if it should proceed to a referendum. The basic conditions are set out in Paragraph 8(2) of schedule 4B of the Town and Country Planning Act 1990 and require that the Plan must:

- Have regard to national policies and advice contained in guidance issued by the Secretary of State
- Contribute to the achievement of sustainable development
- Be in general conformity with the strategic policies of the development plan for the area;
- Be completable with and not breach European Union (EU) obligations and;
- Meet proscribed conditions and comply with prescribed matters

2.6. The examiners report was issued on the 17<sup>th</sup> November 2023. It concluded that subject to the modifications recommended in the examiners report, the draft Plan meets the basic conditions set out in Paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990 and should proceed to referendum.

### 3. Decision

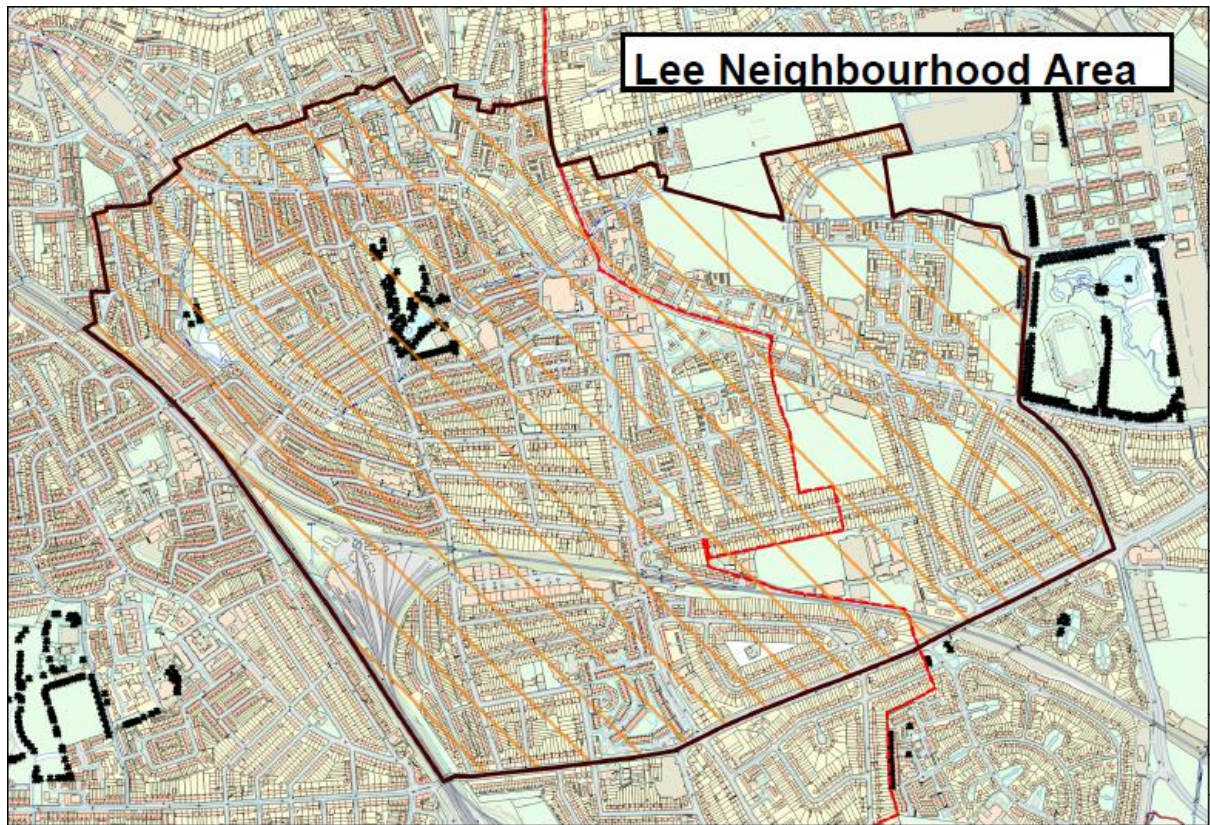
3.1. The Neighbourhood Planning (General) Regulations 2012 require that the local planning authority outline how it intends to respond to the Examiner's recommendations.

3.2. Having considered each of the recommendations made in the Examiner's report, and the reasons for them, the councils have decided to make the modifications to the draft Plan as recommended by the Examiner (see Appendix 1). These changes are considered necessary to ensure that the draft Plan meets the 'basic conditions' and other legal requirements.

3.3. The London Borough of Lewisham and Royal Borough of Greenwich agree:

- That the recommendations to modify the draft Plan as set out in appendix 1 and the Examiners Report be accepted
- That the Examiner's recommendation that the Lee Neighbourhood Plan, as modified, proceeds to referendum on the basis that the draft Plan meets the 'basic conditions', is compatible with the European Convention on Human Rights, complies with the statutory definition of a neighbourhood development plan, and comprises provisions that can be made in such a document.
- That, in accordance with the Examiner's recommendation, the referendum area be the Lee Neighbourhood Area as designated by the Councils in January 2016
- That if the result of the referendum is in support of the approval of the Lee Neighbourhood Plan, the Councils will proceed to publishing an Adoption Statement and formally 'making' the plan.

Lee Neighbourhood Area Map (Referendum Area)



Appendix 1 - Table of Modifications

Proposed modification number (PM)	Page no./ other reference	Modification
PM1	Front Cover	Add the Plan period “ <b>2021-2031</b> ” to the Front Cover.
PM2	Pages 40-43, 45	<p><u>Table 2 (Green Space Designations), Figure 5 (Green Spaces in Lee Forum Area) and Policy GB1 – Protection and Enhancement of Green Spaces</u></p> <p>Amend Table 2 (columns 1-5) to take account of revisions contained in the Councils’ joint response (at Table 1). Delete Site No. 9 from Table 2 and from Figure 5, and re-number Site Nos. 10-23 to become <b>Site Nos. 9-22</b> in Table 2 and Figure 5. Amend policy text, including the deletion of Part A of the Policy text, to conform to the agreed revisions set out at SoCG Page 7.</p>
PM3	Page 46	<p><u>Policy GB2 – Achieving a Green Infrastructure-led Approach</u></p> <p>Amend policy text to conform to the two agreed amendments set out at SoCG Page 7. Add new criterion No. 8 to read as follows: <b>“Where necessary, secure Biodiversity Net Gain in accordance with national and local policy requirements. The calculation of Biodiversity Net Gain should be based on the Government’s latest biodiversity metric tools, which include a specific metric for smaller development sites.”</b></p>
PM4	Pages 47 and 51	<p><u>Policy GB3 – Designation of Nature Improvement Areas: River Quaggy Trail and Hither Green Nature Trail</u></p> <p>Delete existing policy text in full and replace with: <b>“Policy GB3 – Delivering the Proposed Nature Trails</b> <b>The Plan proposes the creation of two Nature Trails, the River Quaggy Trail and the Hither Green Nature Trail Link, as shown on Figure 7, in order to enhance the green infrastructure and ecological networks and to provide new opportunities for walking and cycling within the Plan area. Detailed proposals for the proposed Nature Trails, including their delivery, will be developed by the Lee Neighbourhood Forum in partnership with all relevant stakeholders, including the Royal Borough of Greenwich, the London Borough of Lewisham, the Environment Agency and the Quaggy Waterways Action Group.</b> <b>Development proposals within the areas adjacent to the proposed Nature Trails should contribute positively to the improvements and enhancements being sought as part of the Nature Trail proposals and be in accordance with the requirements of Policy GB2.”</b></p> <p>Delete all references to ‘Nature Improvement Areas’ within the Plan. Figure 7 – to be re-titled “<b>Proposed Nature Trails</b>” and delete Nature Improvement Area notations.</p>

PM5	Page 48	<p><u>Policy GB4 – Protection and Increase of Tree Cover</u> Delete existing policy text in full and replace with: <b>“Policy GB4 – Protection of Trees and Hedgerows Development proposals within the Plan area will be supported where they demonstrate that full account has been taken of any existing trees and hedgerows that are within the development site, and that the layout, siting and design of new development includes the retention, as far as can be achieved, of existing trees and hedgerows as part of the landscaping scheme for the proposed development. Where necessary, planning applications should also include an arboricultural impact assessment.</b> <b>Proposals will also be supported where opportunities to plant new or replacement trees and hedgerows are identified and incorporated as part of development proposals and their accompanying landscaping schemes.”</b></p>
PM6	Page 49	<p><u>Policy GB5 – Managing Flood Risk</u> Amend policy text to conform to the agreed amendments set out at SoCG Pages 9 and 10. Amend the words “at flood risk 2 or 3 in Figure 6” in Part A of the policy text to read <b>“within Flood Zones 2 or 3 as shown on Figure 6</b></p>
PM7	Page 49	<p><u>Policy GB6 – Protection and Enhancement of Lee’s Playing Fields</u> Delete this proposed policy and any references to it elsewhere in the Plan, e.g. at Page 9.</p>
PM8	Page 58	<p><u>Policy TC1– Protect, Promote and Enhance Public Transport</u> Amend policy text to conform to the two agreed amendments concerning Parts A and B as set out at SoCG Page 10, ensuring that specific bus services (which are the responsibility of TfL and not a planning matter) are not listed. <u>Part A</u> Add new first sentence of policy text to read as follows: <b>“New developments should seek to include measures that will improve access to public transport facilities and enhance walking and cycling routes in the Plan area.”</b> <u>Part B</u> Replace the words “Transport Impact Assessments” with <b>“Transport Assessments prepared in line with Transport for London guidance, including an Active Travel Zone assessment,”</b>.</p>
PM9	Pages 58 and 59	<p><u>Policy TC2 – Improvement Measures to Reduce Pollution Levels</u> Amend policy text to conform to the two agreed amendments set out at SoCG Page 11. Amend policy criterion 4 by deleting the words “as being strategic neighbourhood routes” and replace with: <b>“on Figure 4 in this Plan as strategic neighbourhood routes”</b>. Add new policy criterion 7 to read as follows:</p>

		<b>“7. Car parking and cycle parking for new development should be provided in accordance with Policies T6 and T5 respectively in The London Plan (2021) and its accompanying guidance.”</b>
PM10	Page 59	<p><u>Policy TC3 – Improve and Encourage Active Travel Options and Road Safety Measures in the Forum Area</u></p> <p>Amend policy text to conform to the agreed amendments set out at SoCG Page 12, including correcting the error in the policy Index.</p> <p>Delete policy criterion 4 and replace with <b>“All proposals for improvements affecting The Transport for London Road Network (TLRN) will require the approval of Transport for London (TfL) and should be the subject of engagement and consultation with TfL at an early stage.”</b></p>
PM11	Page 70	<p><u>Policy BHA1 – Protection, Enhancement and Provision of Community Buildings</u></p> <p>Amend policy text to conform to the agreed amendments to Parts A, C and D of the policy text as set out at SoCG Page 13, also taking note of LBL’s comment regarding ‘local retail and economy hubs’ concerning Part D.</p> <p><u>Part A</u> – delete the word “ALL” in the 3<sup>rd</sup> line of text and delete criterion 3.</p> <p><u>Part B</u> – replace the word “permitted” with <b>“supported”</b>.</p> <p><u>Part B</u> – replace “500m” with <b>“500 metres”</b>.</p> <p>(Note – this amendment should also be applied to all other entries in the Plan where the word “metres” is abbreviated to “m”, e.g. at Policy HD2 Part A.)</p>
PM12	Page 71	<p><u>Policy BHA2 – Protection, Enhancement and Provision of Social Infrastructure</u></p> <p>Delete existing policy text in full and replace with:</p> <p><b>“Proposals for major new development in the Plan area, as defined in the Glossary, will be assessed in terms of their potential impacts upon the existing provision of supporting social infrastructure, as shown on Figures 9 and 10. Where such development is assessed as requiring new or enhanced social infrastructure in order to support the needs generated by that new development, the Lee Forum will seek the provision and delivery of that infrastructure as part of any planning permissions granted, through Section 106 agreements, the Community Infrastructure Levy or other appropriate delivery mechanisms.”</b></p>
PM13	Page 71	<p><u>Policy BHA3 – Enhancement of Public Realm Facilities</u></p> <p>Delete existing policy text in full and replace with:</p> <p><b>“Proposals for public realm improvements and enhancements in the Plan area will be supported.</b></p>

		<p><b>Proposals for major new developments, as defined in the Glossary, will be expected to contribute towards securing appropriate public realm improvements within the vicinity of development sites, in accordance with the objectives of this Plan and those of the Royal Borough of Greenwich and the London Borough of Lewisham, to enhance the quality of the built environment.”</b></p>
PM14	Page 72	<p><u>Policy BHA4 – Housing Delivery</u> Amend policy text to conform to the agreed amendments to Part A of the policy text as set out at SoCG Page 16 also taking particular note of RBG’s comments regarding criterion 1.</p>
PM15	Page 73	<p><u>Policy BHA5 – Windfall Sites</u> Amend policy text to conform to the agreed amendment to the policy text as set out at SoCG Page 17. Delete the text of criterion 1 in full, and replace with: <b>“1. Sites which are vacant or underused and suitable for residential development or mixed-use development can be brought back into active use.”</b></p>
PM16	Page 73	<p><u>Policy BHA6 – Design of New Development</u> Delete first line of policy text and replace with: <b>“Proposals for new development in the Plan area should seek to achieve high standards of design and sustainability, both to new buildings and to external areas within the development site. Proposals should demonstrate that they:”</b> <u>Criterion 1</u> – delete text in full and replace with: <b>“1. Provide a satisfactory environment throughout the development for the health and wellbeing of residents, employees and visitors.”</b> <u>Criterion 2</u> – delete the words “water course” and replace with <b>“watercourse”</b>. <u>Criterion 3</u> – delete the word “draft”.</p>
PM17	Pages 75-104	<p><u>Section 4.3.6 – Delivery</u> 4.3.6.1 – Site Allocations Delete all current text and content (including Table 4 and Figure 11) on Pages 75-77 and replace with the revised text, Table 4 and Figure 11 contained in the Forum’s response to the examiner dated 12 October 2023 and to reflect the content of the SoCG Pages 26-32.</p>

		<p>Delete Sites SA01 and SA04 (including photographs of the sites) where referenced in the Plan.</p> <p><u>Site SA07 (Sainsbury's 14, Burnt Ash Road, SE12 8PZ)</u> Add new policy criterion xi. to read as follows: <b>"xi. Development proposals for this site will need to demonstrate that they will not have a detrimental effect on the safety and function of The London Road Network (TLRN)."</b></p> <p><u>Site SA08 (321-341 Lee High Road, SE12 8RU)</u> Add new policy criterion ix. to read as follows: <b>"ix. Development proposals for this site will need to demonstrate that they will not have a detrimental effect on the safety and function of The London Road Network (TLRN)."</b></p> <p>Re-number Sites SA02/SA03/SA05-SA12 to be <b>SA01-SA10</b>.</p>
PM18	Page 112	<p><u>Policy RLE1– Maintain, Improve and Sustain the Diversity, Vitality and Viability of Retail Sites</u> Amend policy text to conform to the two agreed amendments to the policy text as set out at SoCG Page 18. Criterion 4 – delete the text that follows the word "entertainment".</p>
PM19	Page 112	<p><u>Policy RLE2 – Improve Shopfronts and Advertising in Retail Sites</u> Amend policy text to conform to the agreed two amendments to the policy text as set out at SoCG Page 18.</p>
PM20	Page 113	<p><u>Policy RLE3 – Improve and Enhance the Public Realm of Retail/Cultural Activity Sites</u> Amend policy text to conform to the three agreed amendments to the policy text and title as set out at SoCG Pages 18 and 19 but amend the words "found in fig. 12" to read <b>"shown on Figure 12"</b>.</p>
PM21	Page 113	<p><u>Policy RLE4 – Protect and Encourage Local Employment Sites</u> Amend policy text to conform to the agreed amendments to the policy text as set out at SoCG Page 19. <u>Part D</u> Delete existing text in full, and replace with: <b>"Proposals for the change of use of disused lock up garages to Class E(g) uses will be supported where it can be clearly demonstrated that there will be no adverse impacts upon residential amenities arising from the use of the premises, as a result of traffic generation and parking, including the movement of Heavy Goods Vehicles, noise, smell and other disturbance."</b></p>
PM22	Page 114	<p><u>Policy RLE5 – Revitalise Lee Green District Town Centre</u> Amend policy text to conform to the agreed amendments to the policy text as set out at SoCG Pages 19 and 20.</p>
PM23	Pages 126 and 128	<p><u>Policy HD1 – Designation, Conservation and Enhancement of Heritage Assets</u> Amend policy text to conform to the two agreed amendments to the policy text as set out at SoCG Page 20.</p>



		Amend Figure 14 to take account of LBL’s comments in the SoCG Page 20, including the deletion of the four Proposed Conservation Areas shown on that map, but retain the material set out in Section 4.6.5 of the Plan (Pages 131-135 inclusive). Insert text within the Plan, ahead of Table 7 to clarify the current status of the entries listed in that Table.
PM24	Page 129	<u>Policy HD2 – Design and Scale of New Development</u> Amend policy text to conform to the agreed amendments to the policy text as set out at SoCG Page 21. Part B – 1 <sup>st</sup> line of text – amend “complimentary” to read “ <b>complementary</b> ”. Part C – Criterion 3 – 1 <sup>st</sup> line of text – amend “suite” to read “ <b>suit</b> ”.
PM25	Page 130	<u>Policy HD3 – Extensions, Alterations and New Buildings</u> Delete the division of the policy into Parts A and B. Delete 1 <sup>st</sup> sentence of policy text, and replace with: <b>“All proposals for extensions and alterations to existing buildings and all proposals for new buildings in the Plan area should be designed to a high quality that, where appropriate, seeks to complement the form, setting and the architectural character, context and detailing of the original building and its surroundings. Proposals should also take account of the relevant Area Design Guidance contained in Section Five of this Plan and should satisfy the following design criteria:”</b> Criterion 1 – delete the words “which is in” and replace with “ <b>are generally in</b> ”. Criterion 3 – insert the words “ <b>Applicants are encouraged to consider whether</b> ” ahead of the existing text and replace the word “are” in the second line of text with “ <b>could be</b> ”. Delete Part B of the policy text in full.
PM26	Page 222	<u>Section Seven – Delivery</u> Paragraph 7.4 – Review Delete existing text in full, and replace with: <b>“The Plan will be reviewed should the emerging new Greenwich and Lewisham Local Plans, covering the period up to and beyond 2031, contain policies and proposals that necessitate such a review, in order that the Plan remains in conformity with the relevant strategic policies of the new Local Plans. Similarly, the Plan will be reviewed should any changes in national policies necessitate revisions to the Plan’s policies.”</b>
PM27	Page 33	<u>Spatial Principles</u> Insert the four paragraphs of additional text contained in the Forum’s response dated 12 October 2023 to Question No. 4, to follow the three Spatial Principles that are set out on page 33.