

Sustainable Development Select Committee		
Title	Key Planning Policies and Procedures	
Contributors	Head of Planning	Item 3
Class	Part 1 (open)	29 November 2016

1. Purpose

- 1.1 As part of their programme, the Sustainable Development Select Committee requested a report on Lewisham's key planning policies and procedures. This report includes an update on changes in planning policy in relation to Lewisham's new Local Plan, and an update on the Council's policy to protect viable local public houses in Lewisham.

2. Recommendations

- 2.1. The Select Committee is asked to note the content of this information report and direct any questions to officers.

3. Background

- 3.1. 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.
- 3.2. 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.
- 3.3. There are three main reasons why we need to update and replace our development plan documents. Firstly, social and economic changes, including population growth that far exceed previous expectations. Secondly, Government changes to national planning policy, including the National Planning Policy Framework (2012) and the Housing and Planning Act (2016). There have also 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. Thirdly, updates to regional policy, including the London Plan with increased minimum housing targets for the borough, and the Mayor of London's 'A City for all Londoners' (2016) which sets out the direction of travel for his Mayoralty. These factors all indicate the need for a new local plan for the borough.
- 3.4. The Sustainable Development Select Committee have an ongoing interest in the protection of pubs in the borough. In 2012 the Committee produced a document 'Preserving Local Pubs' which set out seven recommendations. There have been

various reports and updates to the Committee since then, the latest being an update in October 2015.

- 3.5. This report provides an update on what has taken place since October 2015 in relation to planning matters affecting public houses and an update on the latest situation regarding proposals to list pubs as assets of community value.

4. Policy context

- 4.1. The contents of this report are consistent with the Council's Sustainable Community Strategy policy 'Dynamic and Prosperous – where people are part of vibrant communities and town centres, well connected to London and beyond' and Empowered and Responsible – where people are actively involved in their area and contribute to supportive communities.

5. Policies and Procedures update

5.1. Lewisham Local Plan – planning for growth

- 5.2. **Context for change:** Lewisham's Core Strategy, adopted in 2011, contains the borough's spatial strategy and strategic planning policies to direct and manage growth across the borough. Since adoption, the local, regional and national context for planning for growth has and continues to change considerably. A range of changes have had implications for Lewisham's planning policies and the most relevant, with potentially significant implications, are set out below.
- 5.3. London as whole is facing an unprecedented challenge in meeting the demands of the expected growth in the Capital's population. 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 including demand for housing and health and education infrastructure which need to be carefully planned for.
- 5.4. Alongside this population growth, house building levels continue to be low, not meeting the increasing need, creating a housing crisis. Planning priorities are therefore geared towards enabling growth and, in particular, housing delivery.
- 5.5. Nationally, the 2012 publication of the National Planning Policy Framework changed the context for planning by shifting the focus to a presumption in favour of sustainable development and enabling positive growth. Since 2012 a number of national and regional changes have seen a renewed focus on enabling housing delivery.
- 5.6. The Housing and Planning Act (2016) will have a significant impact on the planning regime and in particular on housing-led development. The implications of many of these measures contained in the Act, for example, Permission in principle, Brownfield registers and Small sites registers are still to be worked through. The Government's response to consultation, with further information about the technical detail, is expected in late 2016. The small sites applications and registers are expected to come into force in early 2017, followed by regulations for Permission and principle and Brownfield registers. Changes to Local Plans and plan making are also expected.

- 5.7. The London Plan has seen various iterations since 2011, with the most recent version published in March 2016. Sadiq Kahn, the new Mayor for London, recently published a document called 'A City for all Londoners' (October 2016) which sets out the direction of travel for his Mayoralty. The document sets the strategic approach to accommodating growth, housing, the economy, the environment, transport and public space, and contains an aspiration for 'a city for all Londoners'. The document explains that to meet the demands of a growing population, at least 50,000 new homes will need to be built every year between now and 2041. Given competing land uses there is a need to intensify development, with significant increases in well-connected locations that are well served by existing or planned transport.
- 5.8. **Moving forward:** Against this background of population growth and changes to national and regional planning policies and requirements, the Planning Service is in the process of preparing a new Local Plan for the Borough. The new Local Plan will be the key planning document and it will set out the planning strategy for growth: that is, how we will deliver the new homes required and the related infrastructure needed over a 15 year period. It will identify the areas in the borough where growth is expected and how these areas are likely to change in order to accommodate the necessary growth. It will contain planning policies that will be used to assess planning applications in the future.
- 5.9. The new Local Plan will replace the existing adopted Planning Policy documents – Core Strategy (2011); Site Allocations Local Plan (2013); Development Management Local Plan (2014); and Lewisham Town Centre Local Plan (2014). Consultation on the Local Plan 'Main Issues' took place in October and November 2015. Since then officers have been reviewing policy changes at a national and regional level, considering consultation responses, reviewing the implementation of existing policies, carrying out a range of evidence base work, and drafting new or refreshed policies. For example, the adopted policy to protect single family homes from being subdivided into self-contained flats (DM Policy 3: Conversion of a single family house to two or more dwellings) needs reviewing as there is a high appeal rate, with decisions being overturned.
- 5.10. The preparation of the Local Plan has slipped against the Council's published timetable, in particular the second stage of public consultation which was scheduled for March/April this year but has not taken place. This is, in part, due to the unknown aspects of the significant changes at the national and regional level and, in part due to progressing other policy work, in particular preparation of the Gypsy and Traveller Site(s) Local Plan. Adoption of Lewisham's new Local Plan is now expected in 2018 at the earliest.
- 5.11. The new Local Plan will need to contain proportionate policies for managing and delivering the necessary growth. Significant progress has been made in delivering the growth objectives of the Core Strategy. Going forward, in order to meet the national and regional policy objectives, this delivery must increase. New Cross, Deptford, Lewisham, and Catford have been identified as Opportunity Areas in the London Plan and in Lewisham's existing 2011 Core Strategy, with the potential for change through the delivery of additional development. Many of the surplus industrial sites in the north of the Borough have already been identified and released from industrial land use designations and designated as Mixed Use Employment Locations (MELs) through the Core Strategy. To date, many of the MELs in the north of the Borough and sites identified for regeneration in Lewisham Town Centre have been redeveloped or have gained permission for mixed use redevelopment as well as a host of environmental

improvements. The Borough has two housing zone designations, in New Bermondsey and Catford, which will lead to the building of homes in these areas being supported by a range of planning and financial measures.

- 5.12. This step change of accelerated growth has been facilitated by the existing key transport accessibility corridors and by securing additional transport infrastructure such as a new train station that will be delivered at New Bermondsey. The Council's framework for growth continues to recognise that major infrastructure investment is required to support the accelerated pace of development and to maximize regeneration opportunities in a sustainable way.
- 5.13. Transport for London have been investigating the possibility of delivering significant transport improvements in South East London. Recently TfL have provided firmer commitment to extending the Bakerloo line from its existing terminus at Elephant and Castle along Old Kent Road to New Cross and through to Lewisham Town Centre with possible future extensions onto Catford, Hayes and Bromley North. This is an exciting new opportunity to secure sustainable development for the borough and it is expected this will bring a range of economic, environmental and social improvements to the Borough.

5.14. Progress in preserving public houses

- 5.15. This section of the report provides an update on what has taken place since October 2015 in relation to planning matters affecting public houses and an update on the latest situation regarding proposals to list pubs as assets of community value.

Protection of pubs through planning policy and economic viability testing

- 5.16. Since the last progress report on preserving public houses to the Select Committee in October 2015, the Planning Service have been working on an update to the evidence base study 'Pubs in Lewisham' which was published in 2012 to support the now adopted Development Management Local Plan policy (DM20).
- 5.17. The evidence base study update will reflect any changes in the national and regional policy context since 2012, as well as a review of how the adopted policy has been working in practice over the past 2 years through the planning application and appeal process.
- 5.18. The updated evidence base study is expected to be completed in early 2017 and will support the review and any emerging changes to the policy itself in Lewisham's new integrated Local Plan.

Planning application review

- 5.19. Since October 2015 the Council has received:
- 5.20. One planning application involving a change of use (CoU) from a shop (A1) to an A4 use (public house, wine bar or other drinking establishment).
- 16/ 96814 49 MONTPELIER VALE: Change of use from A1 (Retail/Shops) to A4 (Drinking Establishments). Granted.

- 5.21. One planning applications involving a change of use from A3 (Restaurant) to A3/A4 (Restaurant / Drinking Establishment)
- 16/97811 COULGATE STREET. The change of use of 16 Coulgate St(A3) street SE4 into A3/A4 use. Decision not yet made.
- 5.22. One application for a Certificate of Lawful Development involving the loss of an A4 use to an A3 use (Restaurant).
- 16/ 95178. 377 LEWISHAM HIGH STREET. Lawful Development Certificate (Proposed) in respect of the change of use of 377 Lewisham High Street, SE13, from a bar (Use Class A4) to a restaurant (Use Class A3). Granted
- 5.23. Two applications involving the provision or retention of an element of A4 use
- 16/ 95428. DEPTFORD STATION, CARRIAGE RAMP ARCHES 13 & 14 MARKET SQUARE LONDON. Change of use of Arches 13 and 14, Deptford Carriage Ramp, Market Square SE8 from Use Classes A1/A2/A3/B1/B8/D1 to Use Class A4 (Drinking establishments). Granted
 - 16/ 96544. 30 DEPTFORD CHURCH STREET. The retention of the use of 30 Deptford Church Street, SE8 and the two storey portable building as a restaurant (Use Class A3) and drinking establishment (Use Class A4), together with associated decking and boundary treatment. Granted
- 5.24. Following the fire at the Catford Bridge Tavern on March 1st, Solitaire Limited (who are the new owners of the Catford Bridge Tavern) intend to re-open the pub at the earliest opportunity. An application had been lodged in June 2015 which sought to retain the Pub use at ground floor and lower ground floor but change the use at first and second floor to Use Class C3 (residential) as well as other associated works to repair fire damage. The applicant has stated that the residential units are required in order to supplement the pub income. This application has now been approved
- 5.25. An application (16/97938) and associated Listed Building Consent has been lodged seeking approval for the alteration, conversion and change of use of the Fellowship Inn, Randlesdown Road SE6, to provide Public House (Use Class A4) on the lower and ground floors, Cinema and ancillary cafe (Use Class D2) on the lower ground floor fronting Knapmill Road, staged hall on the ground floor to the rear (Use Class D2) and music hub on the first and second floor level (Use Class Sui Generis), together with extensions in the roof slopes to accommodate lift shafts and other physical alterations. This application is yet to be determined.
- 5.26. At the Mayor and Cabinet meeting in October 2014, officers advised that the Greyhound Public House had been in a poor structural condition since the stalling of development in 2013, which had resulted in an adverse and unacceptable impact upon the character of the Cobbs Corner Conservation Area and surrounding streetscene. Building works recommenced in May 2015, and officers worked closely with the developers to ensure the rebuilding process was compliant with the Planning and Building Regulation approvals. The Mayor and Cabinet received quarterly updates regarding the progress of building works. The external works were completed in November 2015, however the premises remain unoccupied whilst the owners continue marketing procedures.
- 5.27. There have also been a number of completions in 2015/16 for applications that were determined prior to this financial year.
- 14/87462. 1 MORTON STREET. Change of use to residential.

- 13/83489. REAR OF 323 LEWISHAM HIGH STREET. Change of use to residential.
- 13/83998. 122 LEWISHAM ROAD. Change of use to residential.

Protection of pubs through Article 4 Directions

5.28. The October 2015 report to the Sustainable Development Select Committee explained that Article 4 Directions enable the Local Planning Authority to withdraw specified permitted development rights and the potential compensation claims associated with this. As a result of the compensation issues, officers did not recommend the blanket use of an Article 4 Direction. This recommendation was also included in the report to Members in September 2014.

Protection of local pubs through assets of community value legislation

5.29. The Localism Act 2011 introduced a new power for an eligible local voluntary or community group to ask the Council to list certain assets as being of value to the community. If an asset is listed by the Council and then comes up for sale, the new right will give the eligible community interest group the right to be treated as a potential bidder to purchase the asset. The community group will have 6 months to put together a bid to buy the asset.

5.30. As of 9 November 2016 the following public houses have been successfully nominated as Assets of Community Value:

- Baring Hall Hotel, 368 Baring Road, Grove Park (registered 14/01/13).
- The Honor Oak Pub, 1 St German's Road, Forest Hill (registered 13/11/13).
- The Windmill Pub, 125-131 Kirkdale (registered 20/12/13).
- The Golden Lion, 116 Sydenham Road, London SE26 5JX (registered 12/08/15).
- The Blythe Hill Tavern, 319 Stanstead Road, London SE23 1JB (registered 4/12/15).
- The Talbot Pub, 2-4 Tyrwitt Road Brockley, London SE4 1DQ (registered 4/12/15).
- The Ladywell Tavern Public House, 80 Ladywell Road, Ladywell SE13 7HS (registered 4/12/15).
- The Dacre Arms Public House, 11 Kingswood Place, London SE13 5BJ (registered 4/12/15).
- The Greyhound Public House, 309-315 Kirkdale, Sydenham, London SE26 4QB (registered 24/02/15).

6. Financial implications

6.1 There are no direct financial implications arising from this report.

7. Legal implications

7.1 As this an information item, there are no direct legal implications arising from the report.

8. Crime and disorder implications

8.1 There are no direct crime and disorder implications arising from this report.

9. Equalities implications

9.1 Lewisham's Comprehensive Equalities Scheme (CES) 2012-16 describes the Council's commitment to equality for citizens, service users and employees. The CES is underpinned by a set of high level strategic objectives which incorporate the requirements of the Equality Act 2010 and the Public Sector Equality Duty:

- tackle victimisation, harassment and discrimination
- to improve access to services
- to close the gap in outcomes for citizens
- to increase understanding and mutual respect between communities
- to increase participation and engagement

10. Environmental implications

10.1 There are no direct environmental implications arising from this report.

11. Conclusion

11.1 The Committee is asked to note the content of this report setting out an update on changes in planning policy in relation to Lewisham's new Local Plan, and an update on the Council's policy to protect viable local public houses in Lewisham.

Background Documents:

Short Title Document	Date	File Location	File Reference	Contact Officer	Exempt
Housing and Planning Act	2016	Laurence House	Planning Policy	Claire Gray	No
National Planning Policy Framework (NPPF)	2012	Laurence House	Planning Policy	Claire Gray	No
A City for all Londoners	2016	Laurence House	Planning Policy	Claire Gray	No
Localism Act	2011	Laurence House	Planning Policy	Claire Gray	No

If you have any questions about this report, please contact Claire Gray, Planning Policy Manager (ext. 47186).