

KEY DECISION

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Full Council

Report title: Lewisham Local Plan - Regulation 18 stage “main issues and preferred approaches” document**Date:** 25 November 2020**Key decision:** No**Class:** Part 1**Ward(s) affected:** All**Contributors:** Executive Director of Housing, Regeneration and Environment

Outline and recommendations

The purpose of this report is to provide Council with the information needed to consider the key outcomes sought by the new Lewisham Local Plan; and to endorse the proposals contained in the Regulation 18 stage “main issues and preferred approaches” document (Draft Local Plan) for statutory public consultation.

Council is recommended to:

- a. Approve the following documents for statutory public consultation:
 - Draft Lewisham Local Plan - Regulation 18 stage “main issues and preferred approaches” document (Appendix 1) and the corresponding Proposed Schedule of Changes to the Policies Map (Appendix 2)
 - Interim Integrated Impact Assessment (IIA) (Appendix 3a) and IIA Non-technical Summary (Appendix 3b) and Habitats Regulations Assessment (Appendix 4)
 - Draft Infrastructure Delivery Plan (IDP) (Appendix 5)

Timeline of engagement and decision-making

Mayor and Cabinet approval on 11th March 2020

Council 25th November 2020

Scheduled public consultation early 2021

1. Summary

- 1.1. The Local Plan sets out the long-term development strategy for the Borough and is one of the Council's most important documents. It makes provision for new housing (prioritising genuinely affordable housing), employment and other development needs including the necessary infrastructure to support Good Growth (defined in the new London Plan as "growth that is socially and economically inclusive and environmentally sustainable"). The Local Plan has a key role in implementing the spatial aspects of the Council's Corporate Strategy. It is focussed on tackling the causes of deprivation and impacts of inequalities, as well as responding to the climate emergency. It seeks to address the opportunities and challenges facing the borough, its communities and people, including those presented by Coronavirus (COVID-19). Despite the current uncertain circumstances brought on by the public health pandemic it will be vital to plan proactively towards a recovery, particularly for the local economy, and the local plan will play an instrumental role in this respect.
- 1.2. A new local plan is being prepared to ensure there is an up-to-date plan in place for the borough, and to reflect national and London Plan policy changes that have emerged in recent years. A new local plan is vital for the council to be a strong position to maintain control of local planning decisions, and to ensure these decisions are made in the best interests of Lewisham's neighbourhoods, communities and people.
- 1.3. At its meeting on 11 March 2020, Mayor and Cabinet approved the recommendations set out in the officers' report which included approving that the Draft Local Plan and supporting documents be progressed to Council for its approval to proceed with statutory public consultation.
- 1.4. As part of the development plan process the Lewisham constitution requires the consultation documents to be approved by Full Council.
- 1.5. The purpose of this report is to provide Council with the information needed to consider the key outcomes sought by the new Lewisham Local Plan; and to endorse the proposals contained in the Regulation 18 stage "main issues and preferred approaches" document (Draft Local Plan) for statutory public consultation.
- 1.6. Members should also note:
 - The contents of the Consultation Statement (Appendix 6), documenting the main issues raised by the public in the initial Regulation 18 stage consultation (2015 Main Issues document) and officer responses to them
 - The contents of the consultation strategy (Appendix 7)
 - The contents of the Local Plan Summary Document which will be used to aid the consultation (Appendix 8)
 - The changes to the Draft Local Plan since Mayor and Cabinet approval outlined in Section 7
 - The financial and legal implications set out in this report

2. Recommendations

- 2.1. Council is recommended to:
 - a. Approve the following documents for statutory public consultation:

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- Draft Lewisham Local Plan - Regulation 18 stage “main issues and preferred approaches” document (Appendix 1) and the corresponding Proposed Schedule of Changes to the Policies Map (Appendix 2)
- Interim Integrated Impact Assessment (IIA) (Appendix 3a) and IIA Non-technical Summary (Appendix 3b) and Habitats Regulations Assessment (Appendix 4)
- Draft Infrastructure Delivery Plan (IDP) (Appendix 5)

3. Policy Context

National Planning Policy Framework (NPPF)

- 3.1. When preparing a new Local Plan the National Planning Policy Framework (NPPF) revised February 2019 must be taken into account. The NPPF sets out the Government’s planning policies for England and how these are expected to be applied.
- 3.2. Paragraphs 15-16 of the NPPF outlines the expectations and requirements for local authorities in preparing a new Local Plan. Specifically, local authorities need to ensure that new plans are succinct and up-to-date, provide a positive vision for the future, and present a framework for addressing housing need and other economic, social and environmental priorities. Local authorities also need to ensure that plans be prepared with the objective of contributing to the achievement of sustainable development, and are shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees.
- 3.3. Paragraphs 24-27 of the NPPF further outlines the requirements for local planning authorities to ensure that their plan addresses the relevant strategic matters that have broader spatial implications that cross administrative boundaries (“duty to co-operate”), and that effective and on-going joint working between strategic policy-making authorities and statutory bodies has taken place to inform the relevant strategic policies in the new Plan.
- 3.4. Local plans are also required to be reviewed at least once every five years, and updated as necessary (Paragraph 33), and ensure that the existing strategic policies can provide a sufficient supply of new homes over a minimum five year period (Paragraph 73-76). Given that Lewisham’s current Core Strategy was published in 2011, and sites allocated for development in the Strategy have largely been taken up or built out, Council is obliged at this time to prepare a new Local Plan to meet the requirements of Paragraph 33 and 73-76 of the NPPF.
- 3.5. Further, the new Local Plan needs to comply with the Town and Country Planning (Local Planning) (England) Regulations 2012 as amended (“the Regulations”). Regulation 18 outlines the first steps that must be undertaken in preparing a local plan, including who needs to be notified, and how a local authority should consider feedback received during public consultation when preparing a final draft Plan for submission to the Secretary of State for a public examination.
- 3.6. The Planning Service has previously undertaken an early stage Regulation 18 consultation of the emerging draft Local Plan (Consultation of Main Issues) in October-November 2015. Following this, it also carried out public consultation and engagement on studies that support the Local Plan (such as the Lewisham Characterisation Study, New Cross Area Framework and Catford Town Centre Masterplan). The feedback received during these consultation and engagement exercises has informed and shaped the proposed spatial strategy and draft policies of the ‘Preferred Approach’ document described in this report.

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Planning for the Future White Paper

3.7. The Government recently published the 'Planning for the Future White Paper' for public consultation, which ran from 6th August to 29th October 2020. The paper sets out wide-ranging reforms to the planning system. This includes proposals to streamline and modernise the planning process (including public consultation procedures) and to overhaul the system of developer contributions to infrastructure. The Government is now reviewing responses to the consultation. Potential changes to legislation and national planning policy arising from the White Paper are therefore pending.

Lewisham's Corporate Strategy 2019

3.8. The Local Plan sets out the long-term development strategy for the Borough and is one of the Council's most important strategies. It makes provision for new housing, employment and other development needs including infrastructure. It has a key role in implementing the spatial aspects of the Council's Corporate Strategy including:

- Open Lewisham - Lewisham is a welcoming place of safety for all, where we celebrate the diversity that strengthens us.
- Tackling the housing crisis - Everyone has a decent home that is secure and affordable.
- Building an inclusive local economy - Everyone can access high-quality job opportunities, with decent pay and security in our thriving and inclusive local economy.
- Making Lewisham greener - Everyone enjoys our green spaces, and benefits from a healthy environment as we work to protect and improve our local environment.
- Building safer communities - Every resident feels safe and secure living here as we work together towards a borough free from the fear of crime.

4. Background

- 4.1. The Local Plan is the main development plan document for LB Lewisham, setting out a vision and strategy for future development of the borough, addressing the needs and opportunities in relation to housing, the economy, community facilities and infrastructure, as well as providing detailed policies for managing growth and change, safeguarding the environment, meeting the challenge of climate change, securing good design in developments, and identifying specific proposals for the use of land in the borough.
- 4.2. The Local Plan also has an important role in translating any corporate strategy into a spatial vision for the borough, along with guidance to assist in delivering that vision.

Reasons for a new Local Plan

- 4.3. The council has a statutory duty to review its Local Plan every 5 years in order to ensure it is up-to-date (i.e. consistent with the London Plan and national planning policy). There are significant risks to the Council should it not have an up-to-date plan in place, as discussed under the 'Risk management' subheading below. Notwithstanding these risks, however, is the urgent need to tackle the causes of deprivation within the borough and the impacts of inequality. The Council's latest research shows that while progress has been made, many parts of the borough remain in the 20 per cent most deprived in the country. There is an acute and rising need for genuinely affordable housing locally and Lewisham's economy is one of London's smallest, limiting opportunities for jobs and training. Furthermore, there is now a growing body of evidence showing the adverse economic impacts of COVID-19; and that the pandemic is disproportionately affecting those in areas of deprivation, particularly BAME groups. As well, addressing the climate emergency is imperative as

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the greatest impacts of climate change will be on the most vulnerable and those least able to protect themselves. The new Local Plan is a timely opportunity to address these issues, including by supporting the wider corporate response to COVID-19 and a recovery from it.

- 4.4. The current Local Plan has helped the Council to secure and deliver significant investment in homes, jobs and infrastructure. Most of the key strategic sites identified by the Plan for development now have planning permission or have started/completed build out. A new overarching strategy is therefore required to ensure that current and future local needs, such as for housing and employment floorspace, can be accommodated in appropriate locations. For sustainable community development it is vital that such needs are met in a coordinated rather than piecemeal manner.
- 4.5. Furthermore, the Local Plan is required to be in line with national and regional planning policy. Crucially, there have been significant changes in this higher level policy landscape since the Core Strategy was adopted in 2011. The new National Planning Policy Framework (NPPF) and its associated guidance were first published in July 2018 and revised in February 2019. Together these help give effect to the Government's proposals set out in the Housing White Paper ("Fixing our broken housing market").
- 4.6. In addition, the current London Plan, which came into force in March 2016, is in the process of being replaced. The Examination in Public (EiP) on the draft new London Plan was held between 15th January and 22nd May 2019. The Panel of Inspectors appointed by the Secretary of State issued their report and recommendations on 8th October 2019.
- 4.7. On the 9th December 2019, the London Mayor issued to the Secretary of State his intention to publish the London Plan. On 13th March 2020, the Secretary of State wrote to the Mayor setting out his consideration of the Mayor's Intend to Publish London Plan. The London Mayor considered the Secretary of States response and sent a letter to the Secretary on 24th April outlining the statutory steps to finalise the plan. At the time of the preparation of this report the London plan has not been formally adopted and the plan in its entirety has not come into full force.
- 4.8. Whilst there is still uncertainty on the exact figures, it is clear that Lewisham's strategic housing target will increase in the light of these higher level policies. The new London Plan (Intend to Publish version) provides for a 20% increase on the current annual housing target for Lewisham, rising from 1,385 to 1,667 net units. The Government's housing target for the borough, which is established using a standard methodology that is applied across England, will be significantly higher.
- 4.9. The new Local Plan provides a timely opportunity to reconsider the borough's overall development strategy in light of the aforementioned issues and policy changes, particularly in a manner that confidently aligns with the latest corporate strategy and key priorities across the council.

Risk management

- 4.10. In the absence of an up-to-date Local Plan that aligns with the latest NPPF and London Plan, it will become increasingly difficult to influence and determine development proposals which fail to deliver positive outcomes for Lewisham. The National Planning Policy Framework (NPPF) clearly states, at paragraph 11, that where there are no development plan policies, or the policies which are most important for determining an application are out-of-date, the council must grant planning permission (unless very limited exceptional circumstances apply). By not updating its Local Plan, the council would effectively render a number of policies out-of-date and significantly compromise its ability to make planning decisions based on local circumstances.
- 4.11. Further compounding the above risk is the new Housing Delivery Test (HDT)

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introduced by the NPPF (2019). The HDT sets punitive measures for local authorities who are not meeting their housing targets, including the imposition of the ‘presumption in favour of sustainable development’ in line with NPPF, paragraph 11, discussed above. Furthermore, the ‘presumption’ will continue to apply where the council is unable to demonstrate a five year housing land supply (5YHLS) of deliverable sites against its housing target, at any given time. Developers are increasingly challenging authorities on the 5YHLS through the planning appeal process.

- 4.12. Finally, the scope of changes and measures introduced by the Government’s ‘Planning for the Future White Paper’ is also a matter of concern. There are potential significant implications for local plans, along with the nature and content of them – effectively reducing the role of local plans and public participation in the plan process. Should any changes to legislation or national planning policy arising from the White Paper come into force, the transitional arrangements for these will be critical, particularly in terms of the production of Lewisham’s new local plan. There is a risk that elements of the draft Local Plan may need to be revisited if there are significant delays to the plan programme, or the Government introduces new legal or policy requirements expeditiously.
- 4.13. In summary, in the absence of an up-to-date Local Plan (which provides a sufficient supply of development sites to ensure delivery against Lewisham’s new higher housing targets), the council is at risk of having punitive measures imposed on it, and is more likely to experience ‘planning by appeal’ on a regular basis.

5. How the plan is being prepared

Key stages

- 5.1. There are a number of stages involved in the preparation of a local plan. In addition, there are procedural requirements that the council is required to comply with throughout. These stages and requirements are prescribed by national policy and legislation. This includes the undertaking of multiple rounds of public consultation before a draft local plan can be submitted to the Secretary of State for independent public examination.

Timetable / Local Development Scheme

- 5.2. The timetable for preparing the Local Plan is set out in the council’s adopted Local Development Scheme (LDS). The latest LDS was approved by Mayor and Cabinet on 10th January 2018.
- 5.3. The approved LDS was prepared to ensure the council was in a position to respond to anticipated changes in the higher level policy framework including the NPPF and the draft London Plan. An unexpected revision to the NPPF in Feb 2019 and in June 2019, delays in the preparation of the draft London Plan and a general election in December 2019 have resulted in a significant delay to the approved LDS timetable.
- 5.4. As such the Council is seeking to revise its LDS due to be considered by Mayor and Cabinet in December 2020. The table below sets out the key stages of the plan making process, the anticipated programme and highlights the current stage of production. Officers will seek formal approval for the Council to adopt a revised LDS, prior to the commencement of the next round of statutory public consultation on the plan. It is a legal requirement that the Local Plan is prepared in accordance with an up-to-date LDS, and this will be tested at the plan’s examination.

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Key stage	Timescale
Consultation on the Main Issues (Regulation 18)	October – November 2015
Pre-production (with community and stakeholder engagement). (This includes consultation on 'Call for Sites' exercises, landowner surveys and public engagement on the preparation of evidence base documents, including area-based strategies.)	Ongoing to October 2020
Consultation on the Main Issues and Preferred Approaches document (Regulation 18)	Winter - Spring 2021
Publication of the draft Local Plan, 'proposed submission version' (Regulation 19)	Autumn 2021
Submission to the Secretary of State and Examination in Public (Regulations 22-25)	Winter – Spring 2022
Adoption by Council (Regulation 26)	Summer – Autumn 2022

Evidence base

- 5.5. The Local Plan has to be underpinned by a robust evidence base to justify the policy approaches. We have compiled a number of studies and supporting documents to help inform the preparation of the new Local Plan. These have been prepared both by the Council and other organisations, including Government bodies. Collectively, these documents are known as the 'evidence base'. The evidence base helps to ensure that the approaches and policies in the Local Plan are appropriate and justified, taking into account the latest available information.
- 5.6. Our evidence base comprises technical studies, research reports, site and area masterplans, an Integrated Impact Assessment and other information covering a variety of topic areas and local issues, including: design, housing, economy, environment, transport and infrastructure. A number of the evidence base documents informing the Local Plan have been prepared through engagement with community groups and other stakeholders. This includes the New Cross Area Framework, Catford Masterplan and Lewisham Characterisation Study. The evidence base documents have been made publically available on the Council's website and form part of the

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Local Plan library. Some studies have been completed but are not yet currently available online as they are in the process of being re-formatted to meet the Government's new accessibility standards for published material. All evidence base documents will be made available in time for the consultation.

Integrated Impact Assessment (Appendix 3)

- 5.7. An Integrated Impact Assessment (IIA) helps to inform the preparation of the Local Plan. It is a detailed analysis of the potential environmental, social and economic effects of the plan. The IIA brings different types of assessment together into a single process, including:
 - Strategic Environmental Assessment (SEA)
 - Sustainability Appraisal (SA)
 - Equalities Impact Assessment (EqIA)
 - Health Impact Assessment (HIA)
- 5.8. The IIA is undertaken as an iterative process during the plan's preparation. It includes assessments of preferred policy approaches and reasonable alternatives. Reports are published and consulted on at key stages in the plan process, often alongside draft Local Plan documents. The IIA helps to identify potential issues at an early stage so that measures to avoid or mitigate harm, and improve expected outcomes, can be incorporated into the plan.
- 5.9. A Non-Technical Summary (NTS) of the Interim IIA Report has been prepared and is included within Appendix 3b. This focusses on the main spatial alternatives and options for the detailed policies (i.e. the reasonable alternatives) which are required to be considered as part of the plan making process. The alternatives have been assessed and findings used to inform the preparation of the Preferred Approach document. The NTS also includes headline findings of the overall plan appraisal. The full Interim IIA Report is issued as part of the package of Local Plan documents to be considered by Full Council.
- 5.10. A separate Habitats Regulations Assessment (HRA) is also carried out to assess whether protected habitats and species may be adversely impacted by the plan's implementation. The draft HRA is included within Appendix 4.

Infrastructure Delivery Plan (Appendix 5)

- 5.11. Lewisham's Infrastructure Delivery Plan (IDP) has been prepared as a companion document to the Local Plan. It sets out what infrastructure is required to support planned growth identified in the Local Plan. The Council, its partners and other stakeholders will use the document to ensure that the appropriate infrastructure is in place as growth is delivered.
- 5.12. The infrastructure identified in the IDP, should be deliverable within the Plan period (2020-40) and includes details of where funding for this infrastructure will be sourced (where known). The draft IDP has been informed through early and ongoing engagement with internal and external stakeholders across a range of service areas. An initial public consultation on a draft Infrastructure Delivery Framework was undertaken concurrently with the Regulation 18 stage Issues and Options consultation on the local plan. Feedback received from this consultation is included with the Consultation Statement (Appendix 6).
- 5.13. The IDP will be reviewed and updated on a regular basis, and will be treated as a 'live' document that will evolve over time. It will respond to the latest available information from the Council and its delivery partners on project programming and financing, indicate when strategic infrastructure has been delivered, and reflect changes in the expected level of provision required. The IDP will also be used to inform decisions on

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infrastructure delivery, for example the allocation of CIL receipts to projects. The IDP can also be used as supporting evidence in bids for external funding and to support proposals for specific sites to be protected for use as schools or other infrastructure required throughout the plan period.

Tests of soundness

- 5.14. The Local Plan sets out an ambitious programme to help facilitate investment in our neighbourhoods and sustainably manage growth over the long-term. To realise the plan's vision and to secure the new homes, jobs and infrastructure required for Lewisham, the plan must be demonstrated to be deliverable. The NPPF sets out 'tests of soundness' that help to ensure deliverability. The soundness of the plan is assessed at the examination stage.

Tests of soundness for local plans (NPPF, paragraph 35).	
Positively prepared	Providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development.
Justified	An appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence.
Effective	Deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground.
Consistent with national policy	Enabling the delivery of sustainable development in accordance with the policies in this Framework.

Member briefings

- 5.15. In order to ensure that Members have been engaged throughout the plan process and have had the opportunity to influence its direction, the Strategic Planning Team has facilitated a series of All Members Briefings. To-date, 5 sessions have been held, with two in July 2018, and one in each of October 2018, July 2019 and February 2020 respectively.
- 5.16. The first session (July 2018) focused on the plan making process and some of the key challenges and opportunities arising through the plan review.
- 5.17. The second sessions (July 2018) set out the 'direction of travel' on the new plan and potential broad strategic options for the spatial strategy.
- 5.18. The third session (Oct 2018) agreed the 'strategic objectives' for the new Local Plan with members and outlined the emerging spatial strategy for the borough. The 'strategic objectives' will frame the strategy and detailed policies for the plan, and will ultimately help to ensure that the plan helps give effect to the new corporate strategy.

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- 5.19. At the fourth session (July 2019), officers presented an overview of the draft development management policies and the draft site portfolio:
- The Development Management policies cover the detailed requirements and standards we would expect all new development to comply with. These policies cover a wide range of topic areas including housing, employment land, town centres, open space and climate change resilience.
 - The draft site portfolio contains the emerging portfolio of strategic development sites. These sites are being considered for inclusion as site allocation policies in the new plan. The sites will help us to meet our future housing, employment, and town centre/retail targets, along with other local needs, and safeguard land for strategic infrastructure, such as for transport.
- 5.20. A package of Local Plan documents covering the above was circulated to all members before and after the session in July 2019 for comments, feedback and/or clarifications. This member's consultation period ran between 12 July 2019 to 18 December 2019.
- 5.21. The fifth and most recent session (February 2020) focussed on the proposed 'Vision for Lewisham' along with the supporting visions and key priorities for the borough's five character areas, which together provide a key focus for the Local Plan. Discussions were focussed around three key questions.
- What are the key opportunities to improve your local area?
 - Does the draft Local Plan capture the main strategic priorities for your local area?
 - What should the future vision for the character area reflect?
- 5.22. Feedback from all of the Member briefings has been used to inform the preparation of the Local Plan. Officers expect to continue engaging with Members throughout the course of the Local Plan's production, both through briefings and more formally through the Key Decision process.

6. Draft Local Plan Contents

Scope of the Draft Local Plan

- 6.1. Lewisham's current, adopted Local Plan consists of a package of documents. These form the Council's statutory development plan, alongside the London Plan and any future neighbourhood plans prepared by community groups. Currently, the Local Plan includes:
- The Core Strategy (2011)
 - Site Allocations (2013)
 - Development Management policies (2014) and
 - Lewisham Town Centre local plan (2014).
- 6.2. The Draft Local Plan brings these documents into a single, updated plan.

Structure of the Draft Local Plan

- 6.3. For legibility the Local Plan is set out in main parts and sub-sections that cover a number of policy areas however it must be read as a whole, particularly for the purpose of planning and investment decisions.
- 6.4. The Local Plan is organised into five main parts:

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- **Part One: Setting the scene and the spatial strategy** – provides background information on the Local Plan before setting out the Vision for Lewisham and the plan's strategic objectives. It also establishes the 'spatial strategy' for the Borough, the land-use priorities and overall pattern of development that the plan will seek to deliver.
- **Part Two: Managing development** – sets out the 'development management' policies that all planning applications will need to comply with. The policies, detailed requirements and guidance are organised across a number of topic areas. These policies will ensure that all proposals contribute to delivering sustainable development, consistent with the NPPF and the London Plan's 'Good Growth' objectives.
- **Part Three: Lewisham's neighbourhoods & places** – establishes character areas within the borough based around Lewisham's distinctive neighbourhoods and places. A vision, key objective and strategic priorities (referred to as 'place principles') are set out for each of Lewisham's character areas, along with site allocation policies for strategic development sites. These policies, which must be read alongside those in Part Two, are necessary to support delivery of the spatial strategy for the Borough, and to help manage change and investment in a coordinated way.
- **Part Four: Delivery and monitoring** – sets out the implementation framework for the Local Plan, as well as the arrangements for monitoring and outcomes over the plan period.
- **Part Five: Schedules and appendices** – includes additional technical information and guidance.

7. Changes to the Draft Local Plan

- 7.1. At its meeting on 11 March 2020, Mayor and Cabinet approved the recommendations set out in the officers report which included approval to delegate authority to the Executive Director of Housing, Regeneration and Environment to:
- i. Make minor amendments to the above documents prior to Council;
 - ii. Make further amendments to the Draft Local Plan (Appendix 1) to incorporate headline summaries of: feedback received on public consultation to-date; key findings from the evidence base; main planning issues and policy alternatives considered.
- 7.2. The table below sets out the main changes made to the document since its approval in March 2020:

Part / Section	Reference	Main changes since Mayor & Cabinet
Part One – Setting the Scene		
1	About Lewisham's Local Plan	<ul style="list-style-type: none"> • Update to Figure 1.2 (plan process) to align with programme in new Local Development Scheme • Update to sub-section 'How to use the plan' to improve legibility • Clarifications on consultation and engagement exercises on the Local Plan

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		<ul style="list-style-type: none"> Signposting of COVID-19 as a key challenge and the role of the Local Plan in supporting a recovery
3	Vision, strategic objectives and the spatial strategy	<ul style="list-style-type: none"> Additional discussion on the key factors informing the preparation of the new spatial strategy for the borough Presentation of the growth strategy options (i.e. reasonable alternatives) that have been considered for the plan, and also appraised in the Integrated Impact Assessment New map to show key elements of the spatial strategy
Part Two – Managing Development		
ALL	All policy topic areas	<ul style="list-style-type: none"> Incorporation of ‘vignettes’ within each of main policy topic areas that summarise: feedback from early consultation and engagement exercises to-date; key findings from the evidence base; the main planning issues and preferred approaches to address these; and other policy options (i.e. reasonable alternatives) that have been considered but not taken forward in the draft plan.
5	Policy QD4 Building heights	<ul style="list-style-type: none"> Policy amended to clarify that development proposals must have regard to Figure 5.2 (Tall building sensitivity plan)
7	Policy HO5 High quality housing design	<ul style="list-style-type: none"> Supporting text was missing but is now included
7	Policy HO11 Gypsy and traveller accommodation	<ul style="list-style-type: none"> Policy and supporting text amended to reflect that a single-issue Local Plan on gypsy and traveller accommodation has been withdrawn; as set out in the Local Development Scheme update; and that provision for this type of housing is proposed to be made via a site allocation (reference Land at Pool Court) in the new Local Plan.
8	Policy EC2 Protecting employment sites and delivering new workspace	<ul style="list-style-type: none"> Supporting text amended to clarify that the ‘co-location’ of employment and other uses, including housing, at selected Strategic Industrial Locations (SILs) will be enabled through compensatory provision of employment land at the Bermondsey Dive Under site, which will be designated in the plan. Supporting text amended to bring the policy in line with the London Plan Intend to Publish version (post-examination hearings); specifically, that a 65% plot ratio for development on employment sites will only be used as a benchmark for site intensification, and not a requirement.

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8	Policy EC3 Location and design of new workspace	<ul style="list-style-type: none"> Policy amended to provide greater flexibility to support appropriate proposals for employment uses on sites located outside of designated employment areas and town centres Policy and supporting text amended to provide that live-work units will be acceptable in principle in the Forest Hill Cultural Quarter (including Havelock Walk).
8	Policy EC5 Locally Significant Industrial Sites	<ul style="list-style-type: none"> Policy amended to remove Molesworth Street LSIS from list of designated employment sites where 'co-location' of employment and other uses, including housing, will be acceptable in principle.
8	Policy EC8 Railway arches	<ul style="list-style-type: none"> New policy requirement for applicants to consult with Network Rail and Transport for London on relevant proposals
8	Policy EC10 Town centres at the heart of our communities	<ul style="list-style-type: none"> Policy amended to better emphasise that development proposals must contribute to making town centres more inclusive and accessible places, especially by walking and cycling.
8	Policies EC11 Town centre network and hierarchy / EC12 Location of new town centre development	<ul style="list-style-type: none"> Policies amended to clarify that major out-of-centre retail development will not be supported unless provision has been made for such uses within the Local Plan (e.g. in site allocation policies).
8	Policy EC22 Meanwhile uses	<ul style="list-style-type: none"> Policy amended to provide greater flexibility for meanwhile (temporary) uses on larger sites being delivered in phases
10	Policy GR3 Biodiversity and access to nature	<ul style="list-style-type: none"> New policy point stating that the Council will seek to deliver net gains in biodiversity through the Local Plan.
11	Policy SD4 Energy infrastructure	<ul style="list-style-type: none"> Inclusion of new map which identifies key opportunities for decentralised energy network development, informed by the Council's new Energy Masterplan
12	TR1 Sustainable transport and movement	<ul style="list-style-type: none"> Policy amended to better emphasise Local Plan priorities to reduce car use and promote movement by walking, cycling and the use of public transport
12	TR2 Bakerloo line extension	<ul style="list-style-type: none"> References to Bakerloo line 'upgrade' removed as this is not directly relevant to Lewisham (policy focus remains on the 'extension')

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		<ul style="list-style-type: none"> Policy amended to clarify that development proposals must not preclude or delay the delivery of the BLE ('delay' added).
12	TR4 Parking	<ul style="list-style-type: none"> Policy amended to emphasise that development proposals should seek to reduce car use and promote movement by walking, cycling and use of public transport; with further clarification that car parking will be carefully managed.
Part Three – Lewisham’s Neighbourhoods and Places		
13	Delivering the spatial strategy and meeting Lewisham’s needs	<ul style="list-style-type: none"> Indicative borough-wide development delivery figures for housing updated, with figures for employment and main town centre uses included.
ALL	Character area visions	<ul style="list-style-type: none"> Updates to the ‘vision’ for each of the character areas to make these more coherent and concise
ALL	Character area key objectives	<ul style="list-style-type: none"> Inclusion of new ‘spatial objectives’ for each character area. These will provide the public with greater clarity about the main outcomes sought by the Local Plan in different parts of the borough.
ALL	Site allocations	<ul style="list-style-type: none"> Minor amendments to site allocations to avoid unnecessary duplication of policies presented elsewhere within the plan, and to ensure consistency of language and terminology throughout the document.
14	Central area – site allocations	<ul style="list-style-type: none"> Site allocation amended to reflect that Molesworth Street Locally Significant Industrial Site (reference Molesworth Street Car Park) is protected for employment uses only; effectively removes support for co-location of employment and other uses, including housing, at this site.
17	Policy LSA3 Bell Green and Lower Sydenham	<ul style="list-style-type: none"> Additional policy point to set out that the Council will give consideration to the designation of a new district town centre or local centre in Bell Green / Lower Sydenham, and that further work will be undertaken to assess potential impacts on existing centres.
17	South area - site allocations	<ul style="list-style-type: none"> Inclusion of new site allocation for gypsy and traveller accommodation (reference Land at Pool Court).
Part Four – Delivery and Monitoring		
19	Policy DM2 Infrastructure funding and planning obligations	<ul style="list-style-type: none"> Inclusion of ‘sustainable transport and healthy streets’ on the list of areas for which planning contributions may be sought.

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Part Five – Schedules and Appendices

ALL	Schedules and appendices	<ul style="list-style-type: none">Re-organising of information to clearly distinguish between schedules of planning policy designations and other information
20	Schedules	<ul style="list-style-type: none">Tables amended to clarify where changes are proposed to the Council's currently adopted land use and planning designations.

8. Public consultation

- 8.1. The preparation of the Local Plan, and its successful implementation, will require Lewisham council to take a positive and proactive approach to working alongside a wide range of stakeholders. We recognise the importance of engaging with local residents, community groups, businesses, infrastructure providers, landowners, neighbouring local authorities and other stakeholders. Meaningful dialogue, including through formal public consultation, helps to ensure that the Local Plan reflects the aspirations of the wider community and that it is deliverable.
- 8.2. The consultation process for planning policy documents such as the Local Plan is set out in the Statement of Community Involvement (SCI).
- 8.3. The SCI is a document which sets out how and when the council will consult with and involve the community and other stakeholders in planning matters including in the preparation of Lewisham's development plan, its supporting documents and in the planning application process. The Council is required by law to have an adopted SCI.
- 8.4. The adopted 2006 SCI sets out the minimum requirements (at each stage of plan preparation process) for engaging with a wide range of stakeholders including the general public.
- 8.5. This set out that at Regulation 18 stage the Council will:
 - *consult (by mail-out) with:*
 - *Specific Consultation Bodies*
 - *General Consultation Bodies the Council consulted in Stage 1 consultation participants*
 - *Other Consultees (to the extent that the Council considers appropriate)*.

This above consultation may take the form of an article in the Planning Newsletter providing an introduction to/summary of the Preferred Options Report.

- *ensure that written material produced to support consultation on the preferred options will be accessible on the Lewisham website, at the Planning Information Office and at all libraries*
- *give notice by local advertisement.*

The consultation period will be six weeks.

- 8.6. Since the SCI was adopted in 2006 there have been significant changes to the planning system. These changes establish new legal requirements and processes for consulting with the public on planning matters including the preparation of planning policy documents that include, but are not limited to the Local Plan, Supplementary Planning Documents and Neighbourhood Plans.
- 8.7. Following a review of the 2006 SCI, it was evident that updates were required to reflect the new legal requirements but also recognising opportunities and experiences with new methods of public engagement, such as the greater use of electronic forms of

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communication and social media. This is particularly important in the context of COVID-19 and the latest Government guidance on social distancing.

- 8.8. At its meeting on 16 September 2020, Mayor and Cabinet approved a non-statutory six-week public consultation on an addendum to the 2006 SCI. This addendum to the SCI is primarily focused on amendments required for preparing planning policy documents including but not limited to Lewisham's Local Plan.
- 8.9. The non-statutory consultation was launched 2nd October 2020 and is due to end 13th November 2020. After the minimum 6 week consultation period, all representations received will be taken into consideration and any necessary changes incorporated into a final Addendum to the SCI. The final Addendum together with a comprehensive consultation statement will then be reported for approval by Mayor and Cabinet.
- 8.10. We will ensure that the statutory public consultation on the Regulation 18 stage "main issues and preferred approaches" document (Draft Local Plan) meets that outlined within the Statement of Community Involvement adopted at the time of the consultation.

Consultation Strategy

- 8.11. Due to the ongoing COVID-19 pandemic and the latest Government guidance on social distancing it is likely that the Draft Local Plan consultation anticipated early 2021 will be an all online consultation. As such changes to the consultation strategy presented at Mayor and Cabinet have been made to reflect this approach.
- 8.12. Further details can be found in the contents of the consultation strategy (Appendix 7).
- 8.13. In addition to the main Draft Local Plan and supporting documents officers have prepared a Summary Document which will be used to aid the consultation (Appendix 8). This was discussed and requested by SDSC and councillor at members' briefings. The Summary Document distils the Draft Local Plan into its key components and messages. It is intended to be an easily accessible document for the public to help communities learn about the Draft Local Plan and how to get involved in its preparation.

9. Financial implications

- 9.1. There are no direct financial implications arising from approving the consultation and noting the documents relating to it.
- 9.2. The costs involved in the consultation process, as well as the costs to proceed the Local Plan through the Reg 18 stage to the end of this financial year will be contained within existing budgets.

10. Legal implications

- 10.1. The Planning and Compulsory Purchase 2004 (as amended) ("the 2004 Act") and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) ("the 2012 Regulations") set out the requirements and the statutory procedure for the preparation of a Local Plan.
- 10.2. The approval of proposals for public consultation in connection with the production, alteration or withdrawal of development plan documents which includes the Local Plan is a matter reserved to full Council.
- 10.3. Regulation 18 of the 2012 Regulations requires the local planning authority to notify

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and invite representations on the content of the draft plan to: (i) such specific consultation bodies as the local planning authority consider may have an interest in the subject of the proposed local plan; (ii) such of the general consultation bodies as the local planning authority consider appropriate; and (iii) such residents or other persons carrying on business in the local planning authority's area as the local planning authority consider appropriate.

- 10.4. The next stage, after this consultation, is for the local planning authority to prepare a submission draft of the local plan. All representations received during this consultation stage must be taken into account when preparing this submission draft. The submission draft will then be returned to Council for further consideration.
- 10.5. 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.
- 10.6. 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.
- 10.7. 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 11.5 above.
- 10.8. 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 and due regard is such regard as is appropriate in all the circumstances.
- 10.9. 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>
- 10.10. The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:

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- The essential guide to the public sector equality duty
 - Meeting the equality duty in policy and decision-making
 - Engagement and the equality duty: A guide for public authorities
 - Objectives and the equality duty. A guide for public authorities
 - Equality Information and the Equality Duty: A Guide for Public Authorities
- 10.11. 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>

11. Equalities implications

- 11.1. The Council's Comprehensive Equality Scheme for 2016-20 provides an overarching framework and focus for the Council's work on equalities and helps ensure compliance with the Equality Act 2010.
- 11.2. The preparation of the Local Plan is being informed by an Integrated Impact Assessment which includes an Equalities Impact Assessment.
- 11.3. Publishing the draft Local Plan at this stage will allow stakeholder/resident views on the content of the document and any likely adverse impacts of policies and proposals on equality groups to be identified and carefully considered prior to the preparation of the final plan document. The proposed submission version of the plan (at Regulation 19 stage) will be supported by an Integrated Impact Assessment (IIA), which will test at a detailed level all policies and proposals of the plan for equality impacts.

12. Climate change and environmental implications

- 12.1. Lewisham council is one of the first local authorities in the UK to declare a climate emergency. This declaration has been made recognising that a changing climate will have severe and enduring social, economic and environmental implications, and that tackling climate change is an issue of inequality as the greatest impact will be on the most vulnerable and those least able to protect themselves. A strategic and coordinated approach to addressing climate change is necessary. Collaborative action will need to be pursued by authorities at different levels and across administrative boundaries – in London, the UK and beyond – in order to realise significant positive gains in carbon reduction and to limit global warming. At the same time it is imperative that Lewisham's communities are made more resilient to the on-going effects of climate change. We are committed to accelerating action on climate change understanding that locally specific responses are urgently needed to help address this global issue in a meaningful way, and that local authorities will need to show more leadership in this regard.
- 12.2. The Local Plan will play an important role in helping the Borough respond to the climate emergency. It provides the strategic framework for climate change mitigation and adaption in respect of the future use and management of land within Lewisham. It also sets out policies to ensure that new development is designed, constructed and operated in a sustainable way. These policies cut across a number of topic areas and

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reflect the complexity of matters that must be taken into account when planning positively for climate change resilience.

13. Crime and disorder implications

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

14. Health and wellbeing implications

- 14.1. The production of the Local Plan documents may have health and wellbeing implications. These will be considered during the plan-making process for Local Plan documents through the preparation of Integrated Impact Assessments. These consolidate different types of assessment into a single process, including Strategic Environmental Assessment, Sustainability Appraisal, Equality Impact Assessment (EqIA) and Health Impact Assessment.

15. Background papers

- 15.1. Report to Mayor and Cabinet 11th March 2020.
<https://councilmeetings.lewisham.gov.uk/ieListDocuments.aspx?CId=139&MId=5696&Ver=4>
- 15.2. Lewisham's existing adopted Local Development Framework.
<https://lewisham.gov.uk/myservices/planning/policy/ldf> Which includes:
 - Core Strategy 2011
 - Development Management Local Plan 2014
 - Site Allocations Local Plan 2013
 - Lewisham Town Centre Local Plan 2014
- 15.3. The current adopted London Plan 2016. <https://www.london.gov.uk/what-we-do/planning/london-plan/current-london-plan>
- 15.4. The intend to publish London Plan 2019. <https://www.london.gov.uk/what-we-do/planning/london-plan/new-london-plan/intend-publish-london-plan-2019>
- 15.5. National Planning Policy Framework 2019.
<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

16. Report author and contact

- 16.1. David Syme
Strategic Planning Manager
Email – David.syme@lewisham.gov.uk

17. Comments for and on behalf of the Executive Director for Corporate Resources

- 17.1. Shola Ojo – Principal Accountant, Financial Services (shola.ojo@lewisham.gov.uk)

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**18. Comments for and on behalf of the Director of Law,
Governance and HR**

18.1. Paula Young – Senior Lawyer, Legal Services (paula.young@lewisham.gov.uk)

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