

Draft New London Plan November 2017

Consultation response from the London Borough of Lambeth 2 March 2018

Lambeth welcomes the opportunity to respond to the draft new London Plan. Lambeth supports the overall ambition and scope of the Plan and recognises the role of the London Plan in providing leadership and strategic direction on development and planning in London over the next 15-20 years. In Lambeth's view, the draft new London Plan provides the right strategic direction on many of the key challenges currently facing the capital. However, there are some key aspects that require further consideration in Lambeth's view; and some of the draft policies require clarification or adjustment. These points are set out below.

Lambeth is bringing forward a partial review of its own Local Plan 2015 and will do so in the context of the emerging new London Plan.

Chapter 1 – Planning London's Future (Good Growth Policies)

Lambeth strongly supports the principle of planning for good growth and agrees with the six good growth priorities.

- Building strong and inclusive communities
- Making the best use of land
- Creating a healthy city
- Delivering the homes Londoners need
- Growing a good economy
- Increasing efficiency and resilience

These align closely with Lambeth's own strategic priorities: creating inclusive growth; reducing inequality; and building strong and sustainable neighbourhoods (Future Lambeth: Our borough plan 2016/2021).

In particular, Lambeth supports the following key principles promoted in the draft Plan:

- Intensification of existing places, including the new focus on outer London – although Lambeth notes that the new design-led approach will have significant resource implications for all boroughs (see further comments below on this point)
- The strategic target for 50 per cent of all new homes to be genuinely affordable
- The recognition that employment and a supply of land to meet the diverse needs of London's economy are of equal importance to growth in housing supply, and that the right balance must be achieved
- The objective of 50 per cent green cover
- The target of 80 per cent of all journeys to be made by walking, cycling and public transport – although adequate investment in all of these modes will be essential to achieve this ambition

- The consideration of health and wellbeing throughout the document and the acknowledgement of health impact assessments to assess policies and development proposals
- Embedding policy requirements into land values to move away from protracted negotiations over development viability

More detailed comments on individual policies relating to these principles are set out under relevant chapter headings below.

Chapter 2 – Spatial Development Patterns

Lambeth makes a very significant contribution to the London economy and Opportunity Area and town centres are the vehicle for securing growth and investment in these locations, benefiting the capital as a whole. With this in mind, a number of points are made below about the status of Lambeth's OAs and town centres, which as classified in the draft Plan do not adequately reflect the role they are playing or will play once development potential has been realised.

Policy SD1 Opportunity Areas

Lambeth notes the nine new Opportunity Areas (OAs) proposed for other parts of the capital. The nearest of these to Lambeth is Clapham Junction. Lambeth hopes this will help promote opportunities for investment and growth in the hinterland of the OA along the Wandsworth Road, much of which is in Lambeth.

Lambeth notes that the existing OAs in its area have been classified as 'maturing' (Waterloo) and 'underway' (Vauxhall, Nine Elms, Battersea – Vauxhall falling within Lambeth). The growth area figures for new homes and new jobs in these OAs have been adjusted in this draft Plan from those in the London Plan 2016 (consolidated with alterations since 2011), presumably to reflect the partial achievement of the anticipated growth. However, it is very unclear how these new figures (Waterloo 1,500 new homes and 6,000 new jobs; VNEB 18,500 each of new homes and new jobs) relate to what has already been delivered and the current development pipeline. If these new figures are intended to set out the level of additional growth to be achieved from April 2019 onwards, they do not correspond to the data held by Lambeth about the development trajectory over that period. Please can the meaning of and intention behind these figures be clarified? Please could the London Plan team liaise with Lambeth officers about the data and assumptions behind these figures?

Policies SD4 and SD5 on the Central Activities Zone (CAZ)

Lambeth notes the change of emphasis on the mix of land uses in the CAZ, with a greater emphasis on offices in Waterloo and equal weight for housing and CAZ strategic functions in VNEB. Lambeth supports this in principle for Waterloo but the wording should read "new residential development is welcome provided it does not compromise the strategic functions of the CAZ" rather than "should not compromise". To make this work, an area-wide approach will be needed across each OA, rather than narrow application of the principle on a site-by-site basis. This further emphasises the need to establish clear monitoring parameters and timescales for the overall homes and jobs targets in each OA (see the point under SD1 above).

However, Lambeth considers that a different approach is needed for the Vauxhall part of the VNEB OA. For Vauxhall, development of offices and other CAZ strategic functions should be given greater weight over residential in future developments. This is because Lambeth has exceeded its requirements in meeting the 3,500 new homes target for VNEB, so would prefer greater weight be given to new job-generating floorspace to support the growth of the centre at Vauxhall.

Policy SD7 Town centre network

Lambeth believes the proposed classifications of some of its town centres does not accurately reflect their scale and character:

- Brixton should be classified as a Metropolitan town centre, rather than a Major centre. The quantum of commercial floorspace in the centre will grow as a result of planned regeneration and development schemes, with the Council now a major workspace provider in Brixton. Metropolitan status would also more accurately reflect Brixton’s unique role in the economy of London.
- Brixton meets the definition of both B and C under office guidelines. These categories are not mutually exclusive. Please either clarify the categories or allow centres to fall into more than one.
- Vauxhall should be NT1 rather than NT2: it is widely known nationally and internationally as a cultural centre and destination for the LGBT community, given key venues such as the Royal Vauxhall Tavern
- Vauxhall should be classified as a district centre rather than a CAZ retail cluster, to reflect the scale of commercial development coming forward.
- West Norwood/Tulse Hill should be NT3 rather than unclassified: it is emerging as a night-time economy destination of more than local significance with the opening of a new theatre and cinema
- Streatham should be NT2 rather than NT3 to reflect the range of its night-time and cultural offer.
- Herne Hill should be classified as a district centre given the quantum of retail, leisure and service floorspace in the centre (across two boroughs) and its key role in providing convenience goods and services to local communities, with high accessibility by public transport, walking and cycling
- The place ‘Waterloo and Southbank’ should be recognised and reclassified as a major town centre given the scale of retail and other commercial development coming forward in the next five to ten years (e.g. at Waterloo International Terminal, the Shell Centre and Elizabeth House – please see the table below setting out the quantum of commercial space in the planning pipeline). Within this Lower Marsh/The Cut should continue to be recognised and protected as a distinct retail cluster characterised by predominantly independent businesses.

Consented Sites	Retail (A1-A5)	B1 office	Status
Former Waterloo International Terminal	12,100sqm		Under construction

Mezzanine Waterloo station	2,000 sqm*		Complete - let
Elizabeth House, York Rd	1,000sqm	88,649sqm	Consented
South Bank Place. York Rd	5,986sqm	76,043sqm	Part Complete/ pre let
Leake Street arches	2,170sqm		Part complete / pre - let
Chariots site, Lower Marsh	785sqm		Consented
ITV	250sqm*	44,000sqm*	Consented subject to s106 agreement February 2018
Total	24,305 sqm	208,000sqm	

Policy SD10 Strategic and local regeneration

Lambeth notes the definition of Strategic Areas for Regeneration as neighbourhoods within the 20 per cent most deprived in England; and the proposal that boroughs identify other areas where the impacts of inequality are acutely felt as 'Local Areas for Regeneration'. In Lambeth's view, the notion of a local area for regeneration is too simplistic and does not adequately reflect the perspective of local communities living in these areas. Lambeth would like to be able to identify and name its own priority areas for intervention, without using terminology imposed by the London Plan.

Chapter 3 – Design

Policy D2 Delivering good design

Lambeth supports the principle of this approach, but the production of design codes will have significant resource implications for boroughs. A transition period is therefore needed while these can be prepared.

Policy D3 Inclusive design

Lambeth strongly supports this policy, including the requirement to achieve the highest standards of accessible and inclusive design and the requirement that Design and Access Statements, submitted as part of planning applications, should include an inclusive design statement. The proposal for further guidance on inclusive design from the Mayor is also welcome.

Policy D4 Housing quality and standards

The residential amenity space standard is very low for Lambeth, and the balcony size proposed much too small. Lambeth has successfully operated its own residential amenity space standard through Local Plan policy and wishes to continue to do so, subject to bringing forward design codes for increasing residential densities. Boroughs should have scope to maintain higher standards where this is justified by local evidence.

The draft London Plan policy makes no reference to communal amenity space – this needs to be included.

Policy D5 Accessible housing

Lambeth supports this policy.

Policy D11 Fire safety

Lambeth supports the intention behind this policy but has strong concerns about bringing technical fire safety within the remit of planning. It should continue to sit within the building regulations regime, which is now undergoing a review. Any proposal to change regulatory responsibilities is premature given this review has yet to conclude. Whilst planning committee members want to be assured on the issue of fire safety in new buildings, in the view of Lambeth's own committee members this issue is too technical for them to assess adequately. Planning officers are not experts in this field, which suggests building control officers would need to report to planning committee – this is not a practical proposition. This proposal dilutes accountability for this critical issue, which will increase rather than decrease the risk of further systemic failures in the future, with potentially catastrophic consequences.

Policy D12 Agent of Change

Lambeth supports this policy.

Chapter 4 – Housing

Policy H1 Increasing housing supply

Lambeth has no concern with its overall new housing target: this level of housing growth is considered appropriate for the borough. Lambeth welcomes the overall redistribution of additional growth in London to the outer London boroughs, where opportunities for densification are greatest.

However, Lambeth considers that the late change to SHLAA methodology affecting assumptions on small site delivery should have been the subject of dialogue and consultation with the boroughs prior to publication of the draft new London Plan. This late and fundamental change undermines the long-standing relationship of cooperation between the GLA and the boroughs in the preparation of the SHLAA, and will no doubt be the subject of extensive debate and challenge at the London Plan examination in public. Please see further comments on small sites below.

Clause C of Policy H1 requires boroughs to be proactive in the use of brownfield registers and permissions in principle to increase planning certainty for those wishing to build new homes. Lambeth has very strong concerns about the inclusion of this requirement in policy. Permission in principle (PIP) is a new and untested mechanism that has potential to result in significant unintended

consequences. If widely used, it will dramatically undermine the resources available to local authority planning departments and result in poor development outcomes with limited opportunity for meaningful local engagement. In plan-making, there is a high risk that the prospect of PiP on allocation will significantly delay the preparation and examination process, perversely causing more uncertainty rather than less. Whilst the London Plan may wish to encourage the use of this mechanism in supporting text, it should give freedom to the boroughs to decide how best to use it to achieve delivery against its housing targets. A borough's approach to PiP should never be a general conformity issue in the examination of local plans.

Policy H2 Small sites

Lambeth agrees that small sites should play a greater role in housing delivery and wishes to proactively support well-designed new homes on small sites through both planning decisions and plan-making. Lambeth supports the principle of area-wide design codes as a tool to achieve good quality, higher residential densities on small housing developments. However, the preparation of design codes to cover all the circumstances affecting Lambeth will have very significant resource implications for the borough's planning service. There is strong concern about the poor outcomes that may result in the period before the design codes are in place. This is one of many reasons why the draft new London Plan should only be given limited weight in decision-making at present – boroughs need time to transition to the new policy regime.

There is a lack of reference in the policy to secure design quality and the relationship to context and host building.

Clause C – the same point about PiP applies as made under Policy H1 above.

Clause D – Lambeth does not support the presumption in favour of small housing development in relation to residential conversions and infill development within the curtilage of a house. Boroughs should be allowed to develop locally-specific policy approaches to these forms of development, based on local evidence of need and local characterisation studies. Lambeth recognises it may need to look again at the way it manages residential conversions in the borough, but strongly believes that a local policy approach to conversions remains critical to maintain a stock of family-sized market housing in the borough and to protect the mix and balance of accommodation in neighbourhoods and the quality of residential amenity. (Lambeth notes that in some cases residential conversions may not be the best way to deliver new, high quality housing at higher densities – the London Plan should recognise this and acknowledge the role of borough-level design codes in promoting best practice in these circumstances.)

Similarly, residential gardens in many parts of Lambeth are integral to the character of neighbourhoods and make a vital contribution to health and well-being for all generations, to biodiversity and to nature conservation. This value cannot be replaced in an equivalent way by a green roof or additional tree planting in a street. Children need space to run around and back gardens provide this, for those lucky enough to have them, helping to relieve pressure on communal parks, gardens and play areas. This will become even more important as the population grows. There is also a potential conflict with the statutory obligation to preserve or enhance conservation areas. As with residential conversions, borough must be allowed to develop locally-specific policies to manage development in residential gardens.

Clause H supporting affordable housing contributions on small sites is very welcome.

Policy H3 Monitoring housing targets

Much greater clarity is needed on the relationship between the overall borough-level housing target (which is a national planning policy requirement) and the new London-specific small sites 'sub-target'. How will this work with the new national housing delivery test, anticipated in the draft revised NPPF to be published by government at some point in 2018?

Most importantly, if a borough can demonstrate that it is achieving its overall target on a regular basis and that it can exceed its target over the ten year period it relates to, it should not be penalised if the small sites 'sub-target' is not achieved in a given year. Housing delivery in London is by nature uneven, given the complexity of large sites and the uncertainties around build-out rates of permissions on smaller sites. Allowance should also be made for the rate of *permissions* granted on small sites, not just completions – as completions are frequently beyond the control of the local planning authority.

Policy H5 Delivering affordable housing

Lambeth supports the principle of the threshold approach to affordable housing and agrees with the Mayor that, over time, this is likely to embed policy requirements into land values and help avoid protracted negotiations about viability based on imperfect information. Lambeth also supports the initial thresholds proposed in the draft new London Plan, subject to their early review in 2021 to allow for consideration of changing market factors and evidence on delivery across London and across different types of land.

Lambeth supports the Fast Track criteria that require on-site delivery of affordable housing and compliance with borough-level tenure split policies. It is essential that these criteria are upheld consistently and robustly in decision-making and that the principles of the distinction between the Fast Track route and the Viability Tested route are not eroded over time. See also the comments under policy DF1 about risks to other policy requirements and obligations.

However, the new London Plan needs to be much clearer about how the different thresholds for public sector and private sector land will apply when land is changing hands between sectors. For example, if a private developer is buying public sector land presumably the 50 percent threshold applies to that land even after it has changed hands. How will this be monitored and secured in practice? Similarly, if a public sector body is buying land in private ownership (to achieve a local-authority-led regeneration project for example), it should be the 35 per cent threshold that applies in that case. If not, a public sector body will never be able to compete on a level playing field in the purchase of land with private sector bodies. These scenarios need to be carefully considered and further guidance provided for the threshold approach to work effectively.

Policy H7 Affordable housing tenure

Lambeth strongly supports this policy.

Policy H8 Monitoring of affordable housing

Lambeth supports the proposed approach. However, the information requirements associated with this policy will have significant resource implications, so boroughs need an appropriate transition period before it comes into force. The full implementation of this provision needs to commence after final publication of the new London Plan.

Policy H9 Vacant building credit

This policy is essential and welcomed by Lambeth.

Policy H10 Redevelopment of existing housing and estate regeneration

Lambeth consider estate regeneration is different from other forms of development because of the additional costs local authorities must rightly address, such as key guarantees to residents and upfront buy back costs (where tenants have exercised their right to buy option). These costs are often significant.

Lambeth consider that where an estate regeneration scheme is delivering 50 per cent affordable housing (with no net loss of social housing, like for like replacement of existing tenures and key guarantees addressed), there should be no need to test viability. This will enable estate regeneration schemes to be brought forward in a timely way, giving certainty to residents.

In circumstances where viability testing is necessary, full regard should be given to the specialist costs associated with this type of development. Please could the wording of the London Plan acknowledge this.

Policy H11 Ensuring the best use of stock

What support can the GLA provide to boroughs in identifying evidence on buy-to-leave? There are limited sources of data available to boroughs about this phenomenon. Please could the Mayor also continue to lobby central government on the mechanisms needed by local government to tackle this issue.

Lambeth welcomes the efforts to date by the GLA to engage with on-line holiday letting portals and encourage them to self-police the 90 days-a-year rule. It would be extremely helpful to the boroughs if the GLA could maintain this engagement and monitor the position London-wide, as the boroughs have very limited resources for this activity and the portals operate at a wider-than-borough level.

Policy H12 Housing size mix

Lambeth supports this policy and particularly the section resisting schemes of mainly one-person units.

Policy H13 Build to Rent

Lambeth welcomes the clear distinction in the draft London Plan policies between Build to Rent (self-contained) and large-scale purpose-built shared living (non-self-contained), as there has been a lack of clarity about this to date.

This said, Lambeth is very concerned that Build to Rent has now been brought within the scope of the Fast Track route, which is different from the position in the Mayor’s Affordable Housing and Viability SPG. In Lambeth’s view, there is already sufficient incentive for Build to Rent developers in the borough – this is now the predominant form of major new residential development making approaches for pre-application discussions in Lambeth. In response to the SPG consultation, Lambeth has already expressed its concern that allowing all of the affordable housing provision in this type of scheme to be intermediate will result in a rapid decline in the amount of social rented affordable housing the borough is able to secure in the planning system. With the added incentive of the Fast Track route, this problem will only be aggravated. Lambeth continues to believe that Build to Rent developers should be required to demonstrate from the outset that delivery of conventional social rented affordable housing cannot be achieved in their scheme, before allowing for the possibility of an intermediate-only offer.

Lambeth notes that the new policy requires at least 30 per cent of the 35 per cent affordable housing to be at London Living Rent Level. London Living Rent is not truly affordable in some parts of Lambeth, particularly the north of the borough. The growing prevalence of Build to Rent means intermediate affordable housing is becoming the main type of affordable housing secured outside of council-led developments. It is therefore critical that the rental levels for intermediate accommodation in Build to Rent schemes match what Lambeth households can genuinely afford. Only a very small proportion of households in the borough have incomes of £60,000 per annum, let alone the £90,000 required to access shared ownership (see Lambeth’s SHMA published October 2017). There therefore needs to be more flexibility within the policy for boroughs to define the types of intermediate affordable housing secured according to local circumstances and evidence.

Policy H16 Gypsy and Traveller accommodation

Lambeth objects strongly to the inclusion of a different definition of Gypsy and Traveller than that included in national Planning Policy for Traveller Sites (PPTS). Under section 41 of the GLA Act 1999, the London Plan must have regard to the need to ensure that the strategy is consistent with national policies. Draft London Plan policy H16 is not consistent with national policy. The proposed new definition refers to “people with a cultural tradition of nomadism, *or living in a caravan, whatever their race or origin*” (emphasis added). This encompasses anyone who, by choice or not, is living in a static caravan, irrespective of their cultural identity and association or not with the Gypsy and Traveller community; and it assumes that this person therefore automatically wishes to continue to do so, requiring LPAs to plan accordingly. This would include people who are living in caravans because they cannot find conventional affordable housing elsewhere, given the high level of unmet conventional housing need. This is not an effective way to plan to meet housing need, particularly given the priority in every other part of the Plan to intensification of the use of land, optimising residential densities, maximising provision of affordable housing and the quality of housing.

PPTS rightly gives priority to “persons of *nomadic habit of life* whatever their race or origin” (emphasis added), and rightly includes those who have ceased to travel temporarily. However, the proposed new London Plan definition goes further to include within the definition of Gypsy and Traveller those who have ceased to travel permanently. The priority for Traveller pitches in a city with very scarce land resources should be given to those who genuinely lead a nomadic life or genuinely would do so if they could. This is a much smaller group of people than that encompassed

by the proposed new London Plan definition, and is an appropriate basis for planning to meet this specialist form of housing need.

Policy H17 Purpose-built student accommodation (PBSA)

Lambeth supports the policy approach but, on sites that would otherwise be suitable for general needs self-contained housing, boroughs should be given scope to require general needs affordable housing or a contribution to this. Otherwise, high values associated with PBSA will compete for land with general needs housing providers – a phenomenon already experienced on several sites in Vauxhall. The priority should be general needs housing, with a managed supply of PBSA to meet a defined level of specialist need for this type of accommodation, rather than a market-driven approach.

Lambeth welcomes the provision in this policy that discourages the location of PBSA close to existing concentrations in central London.

Policy H18 Large-scale purpose built shared living

As stated under policy H13, the clear distinction between Build to Rent and this form of development is welcome. However, Lambeth is very concerned about the blanket support given by the draft new London Plan to large-scale purpose built shared living as a form of development. It will always be possible for a developer to claim that this type of accommodation meets housing need – because the level of unmet housing need in the capital is so extremely high. This does not make this the right or best way to meet that need. This form of development represents a severe erosion of housing quality and standards, contrary to the otherwise hard fought for standard of accommodation secured by local planning authorities in other housing developments. Support for this type of scheme also directly contradicts the statement (supported by Lambeth) in draft Policy H12 that schemes of mainly one-person units should be resisted. These concerns are made worse by the rent levels typically charged in this type of development, which are no lower than and sometimes exceed rents for rooms in shared houses in the same area.

Boroughs must be given scope in their local plans to set clear parameters for the circumstances in which this type of development might be acceptable – beyond the weak criteria listed in the draft London Plan policy. As an example, boroughs need to be able to set criteria around meeting local need and/or demonstrating a local connection. Otherwise, boroughs like Lambeth will experience a rash of this type of scheme and will not have the power to resist it. Along with housing quality, the inevitable casualty will be the amount of general needs affordable housing secured through the planning system and the genuine mix and balance of communities. Over-reliance on cash-in-lieu contributions for affordable housing from schemes like this will result over time in a polarisation of communities on the basis of income, which contradicts the draft London Plan's own 'good growth' objective to build strong and inclusive communities.

Chapter 5 – Social Infrastructure

Policy S1 Developing London's social infrastructure

Lambeth supports the overall principles set out in this policy. However, it does not agree with the first statement that social infrastructure needs should be addressed via area-based planning “such as OAPFs, Area Action Plans, Development Infrastructure Funding Studies, Neighbourhood Plans or master plans”. While Neighbourhood Plans can make a valuable contribution to identifying priorities for local infrastructure, they are not typically in a position to deal effectively with planning for strategic infrastructure. In some cases, there will be a tension between strategic priorities and neighbourhood-level aspirations. Infrastructure planning is normally best carried out through the Local Plan process, supported by the rigour of independent examination against the tests of soundness. These points should be acknowledged in the London Plan.

The Mayor should ensure that the principle enshrined in clause C of the policy (support for development proposals that provide high quality, inclusive social infrastructure) is carried through in decision-making – and acknowledge that this may have an impact on the level of affordable housing that can be delivered in some cases.

More generally, land values in Lambeth are very high and this will impact on the borough’s ability to secure adequate CIL contributions to fund the infrastructure required, ultimately affecting its ability to continue to deliver new housing to meet identified need. See also Lambeth’s response to the MCIL2 consultation.

Policy S2 Health and social care facilities

Lambeth supports this policy. Local public health teams are well placed to work with partners on this issue.

Policy S3 Education and childcare facilities

Lambeth supports this policy and in particular:

- the emphasis on planning on the basis of identified need
- the location of school entrances and playgrounds away from busy roads where possible
- support for healthy routes to schools and for active travel to school (which could potentially be strengthened through the inclusion of a monitoring target)

Policy S4 Play and informal recreation

Lambeth wishes to stress the importance of opportunities for play and informal recreation that children and young people can access independently.

Chapter 6 – Economy

Policy E2 Low-cost business space

Lambeth supports the intention to differentiate between small business space that is available to micro-businesses and SMEs by virtue of its size, location and flexible terms (covered in this policy) on the one hand; and specifically affordable workspace secured at below market rents (covered in policy E3) on the other. However, the name ‘low-cost business space’ for the first category is

inappropriate. In many cases, notwithstanding its flexibility, small business space secured through the planning system in central and inner London will not be 'low-cost'. Please replace this term with another e.g. just 'small business space'.

Policy E3 Affordable workspace

Lambeth supports this policy and intends to introduce a local policy in response to this. However, affordable workspace is unlikely to be viable in the CAZ given the levels of MCIL2 proposed. See also the comments on prioritisation of planning obligations under policy DF1.

Policies E4, E5, E6, E7 in Industrial land

Lambeth supports the overall approach and agrees with its 'retain' classification. In practice it has been very difficult to retain industrial capacity through the planning system to date, given a perceived inter-changeability of industrial uses and B1a office space. It is hoped that the specific emphasis on industrial capacity defined as specific use classes will assist with this. Clarification of the approach on yardspace (as opposed to floorspace) is also welcome, although this needs to be carried through into the monitoring approach set out in Chapter 12 (reference only to industrial floorspace).

Please could the London Plan clarify whether B1b space for research and development of products and processes is intended to fall within the definition of industrial capacity – some of the supporting evidence suggests that it is, but there is no mention in the Plan itself. In Lambeth's view, B1b should be included within the definition of 'industrial'. Some *sui generis* uses should also be included within the definition of industrial capacity e.g. some waste uses, some operational uses – there is no mention of these in the Plan.

With regard to potential for intensification of industrial land, in Lambeth's view this should not be considered to mean allowing residential uses within industrial areas on a systematic basis. Historically Lambeth allowed mixed-use areas within some of its LSIS (under the Lambeth UDP 2007) and this resulted in quite a rapid erosion of these designated areas, such that a number have now been de-designated. Lambeth has since removed these mixed-use areas and does not intend to revisit that policy approach.

Policy E10 Visitor infrastructure

Lambeth supports the proposed policy approach and in particular the scope to limit the further proliferation of existing concentrations of visitor accommodation.

Please include a definition of 'smaller scale'.

Lambeth is concerned about the apparent increase in proposals for purpose-built serviced apartments/short-term letting accommodation 'flipping' to C3 use without permission. After four years this becomes lawful (unless it comes to the attention of Lambeth's enforcement team before then, which is unusual). Affordable housing and CIL contributions are forfeited as a result. London Plan policy should directly address this problem.

E11 Skills and opportunities for all

Lambeth supports this approach, which is consistent with its recently adopted Employment and Skills SPD. However, please see comments about prioritisation of planning obligations under policy DF1.

Chapter 7 – Heritage and Culture

Policy HC5 Supporting London's culture and creative industries

Lambeth supports the intention behind this policy. However, in practice it may be difficult to protect a specific venue/operator as distinct from the land use of the site, given the way the planning system works. This will be a particular issue if the operator is a leaseholder rather than the freeholder of a property. Would protection of a venue blight a site if the venue/operator fails?

See also the comments about monitoring of cultural infrastructure under Chapter 12.

Joint working with licensing powers will be critical to ensure effective implementation of this policy.

Policy HC6 Supporting the night-time economy

Lambeth supports this policy.

Policy HC7 Protecting public houses

Lambeth supports this policy.

Chapter 8 – Green Infrastructure and Natural Environment

Policy G1 Green infrastructure

Lambeth supports this policy.

Policy G4 Local and green open space

Loss in quantity of green and open space should be resisted across the board, not just in areas of open space deficiency: owing to population growth, more and more people are making use of a finite quantity of open space. If incremental losses are allowed in exchange for improvements to remaining space, over time this will result in gradual erosion of a resource that can never be replaced.

The title of this policy is unclear, which is likely to cause confusion at implementation. Does the policy only seek to protect open spaces that are green and local? Or does the policy seek to protect local green spaces and local open spaces? Lambeth notes para 8.4.3 states 'the creation of green or open space is essential...' This might suggest the policy seeks to protect green spaces and open spaces. Current London Plan policy is on protecting 'open space'. Taking this into account Lambeth suggests the policy should be renamed 'Green space and open space'. MOL is clearly covered by another policy.

Policy G5 Urban greening

Lambeth supports the use of the urban greening factor approach in principle and welcomes the opportunity to develop an UGF tailored to local circumstances, although this will have significant resource implications for boroughs. Careful implementation will be essential to ensure this does not become a tick-box assessment by developers – resulting in erosion of quality and green infrastructure value. The most important principle to be upheld is the different value levels of different types of green infrastructure. Ultimately, nothing can fully replace green open space for the value it contributes to quality of life and health and wellbeing. To work effectively, the UGF approach will require ongoing input by specialist officers plus training for development management officers. Again, this will have a significant resource implication for boroughs, that will need to be planned into service delivery and will therefore require an appropriate transition period prior to implementation. The policy wording needs to make much clearer how quality will be assured and maintenance secured. See also the comment under monitoring in Chapter 12.

Policy G6 Biodiversity and access to nature

Lambeth supports this policy.

Policy G7 Trees and woodlands

Lambeth supports this policy approach and welcomes the drive towards attaching monetary values to trees through CAVAT or equivalent. However, the policy would be stronger if it sought to maintain the number of existing trees as well as increase the number of trees by planting new trees. Those trees in need of replacement should also be included in the policy. The wording of Clause C should require opportunities for additional tree planting to be explored in every major new development – rather than ‘generally be included’. Applicants should be required to demonstrate they have done this.

Lambeth supports the more detailed representation made by the London Tree Officer Network on this policy.

Policy G8 Food growing

Lambeth supports this policy.

Chapter 9 – Sustainable Infrastructure

Policy S11 – Improving air quality

Lambeth supports this policy overall but has the following comments on clauses 2, 3, 4 and 5:

In relation to clause 2, Lambeth would suggest the meaning of ‘large numbers or people’ is clarified in supporting text. It would also be helpful to clarify in supporting text that the effects of poor air quality are different for different vulnerable groups (for example they are worse for nursery age children than for 16 year olds).

Lambeth suggests an amendment to the wording of clause 3 as follows:

3) The development of large-scale redevelopment areas, such as within Opportunity Areas ~~and~~ or those subject to an Environmental Impact Assessment should propose methods of achieving an Air Quality Positive approach through the new development. All other developments should be at least Air Quality Neutral.

In order to comply with the GLA's Non-Road Mobile Machinery (NRMM) Low Emission Zone policy there is the requirement for developments to keep an inventory of all NRMM used at the site (NRMM online register www.nrmm.london). Lambeth questions whether clause 4 of the policy is a 'doubling handling' of requirements, and is indeed necessary?

Regarding clause 5 – in order to demonstrate that transport and building emissions will be less than the previous or existing use, a basic air quality assessment (AQA) would be necessary (to derive such a conclusion). It would be useful for the Local Planning Authority to view and consider such assessments. Accordingly, please could the policy require submission of a detailed AQA where major developments result in transport and building emissions more than the previous or existing use; and submission of a basic AQA for major developments that result in transport and building emissions less than previous or existing use.

Policy SI2 Minimising greenhouse gas emissions

Lambeth supports the policy but suggests amendment to policy wording in clause C – replace 'should aim to achieve' with 'should achieve'.

Policy SI6 Digital connectivity infrastructure

Lambeth welcomes this policy.

Policy SI13 Sustainable drainage

Lambeth supports this policy in general, but seeks clarification on the extent of development proposals applicable to clause C on impermeable surfaces. Is this limited to just dwelling applications, or all development proposals? Please add further information in the supporting text. Current London Plan policy 5.13 does not include specific reference to 'impermeable paving' but does refer in the supporting text to the GPDO 2008 restricting permitted development rights for impermeable surfaces within curtilage of dwelling houses.

Policy SI7 Reducing waste and supporting the circular economy

The London-wide recycling target of 65% municipal (household and business) waste by 2030 is ambitious, and the ability of each borough to contribute towards this target will vary. The barriers to increasing household recycling rates in inner London boroughs like Lambeth are well known and include a high proportion of flatted developments and a low number of gardens. It is suggested, therefore, that boroughs are given individual household recycling targets to work towards and monitor. It is also not clear how C&I recycling rates will be monitored or if a baseline figure is available.

Lambeth supports the requirement for a “Circular Economy Statement” to include how much waste a large-scale development is expected to generate and where it will be managed. This has the potential to assist boroughs in their duty to co-operate discussions on movements of waste and inform authorities outside of London how much waste they will receive. Further guidance on this will be key as it is not clear how or what information will be collected, recorded, monitored or accessed by waste planning authorities wishing to utilise this information.

The 95% CD&E recycling target by 2020 seems ambitious given the baseline figure of 50-60% and the two year timeframe. It is suggested that Excavation waste should be excluded from this target as it is not recyclable in the same way as C&D waste.

Policy SI8 Waste capacity and net waste self-sufficiency

It is not clear how Development Plans should meet the Policy SI8.B.1) requirement to “identify how waste will be reduced, in line with the principles of the Circular Economy and how remaining quantum of waste will be managed”. Any anticipated reduction of waste should have been modelled in the evidence base work by SLR. A Local Plan is not the right document to deliver a waste reduction strategy.

Boroughs who have sufficient capacity to meet their waste apportionment targets are less likely to want to collaborate and pool their apportionment requirements with those boroughs who have less capacity or land to offer. This is often politically-led. If the Mayor wants boroughs to work collaboratively, the London Plan needs to be stronger on this. It is suggested that Policy SI8.B.2 could be strengthened by replacing “boroughs are encouraged to collaborate by pooling their apportionment requirements” with “boroughs should collaborate”. The supporting text in 9.8.7 can expand on this by stating that boroughs should collaborate where there is historic or existing partnership working, for example waste authority groupings.

Lambeth supports the focus on existing designated industrial land (SILs and LSIS) as the preferred location for new waste facilities.

Lambeth welcomes the revised apportionment methodology and targets. Lambeth also supports the clarification that “sufficient land” to meet apportionment targets includes sites and/or areas. Most London boroughs are not able to identify individual sites for waste, and allocating sites is not an approach supported by the waste industry. Many boroughs are, however, able to identify industrial areas suitable for waste uses which creates a more flexible option for both boroughs and operators.

It is possible for boroughs to demonstrate how much land (sites) within industrial areas is likely to come forward during the plan period for waste use, using business churn and vacancy rates data, and therefore to demonstrate there is sufficient opportunity to meet the apportionment targets. However, the draft new policy still requires Local Plans to “allocate” land for waste (Policy SI8.B.2). It is not possible to “allocate” entire industrial areas for waste as they will not be limited to waste use. It is suggested that Clause B.2) of Policy SI8 is amended to “allocate identify sufficient land and identify waste management facilities to provide the capacity to manage the apportioned tonnages of waste...”. Similarly paragraph 9.8.6 in the supporting text should be amended to “[...]Part B.2 of Policy SI8 Waste capacity and net waste self-sufficiency requires boroughs to allocate identify

sufficient land (sites and/or areas) and **identify** waste management facilities to provide the capacity to manage their apportioned tonnages of waste...” and paragraph 9.8.7 to “[...] Boroughs should examine in detail **how capacity can be delivered at the local level** through **site allocations in** Development Plans to meet their apportionments [...] Boroughs should identify suitable additional sites **and/or areas** for waste including waste transfer sites where practicable...”

It is not clear what the London Plan is saying about transfer stations. Paragraph 9.8.7 seems to indicate that transfer sites should be identified as suitable for new waste facilities. A significant proportion of London’s waste passes through local transfer facilities for sorting/bulking before onward treatment or disposal and by doing so contributes to reducing waste movements by road. Many transfer stations also manage a proportion of the waste that passes through them and therefore contribute to apportioned waste capacity. It would be useful to clarify the London Plan’s approach to transfer stations in the supporting text.

Paragraph 9.8.7 of the supporting text states “Boroughs should examine in detail **how capacity can be delivered at the local level** [...] and should aim to meet their waste apportionment as a minimum. However, this may not always be possible and boroughs will need to agree the transfer of apportioned waste.” It is not clear how or with whom boroughs should “agree the transfer of apportioned waste”. Much more information is required on this. Finding sufficient land and capacity to meet apportionment targets is an ongoing challenge for many boroughs, particularly in inner London, and if the Mayor has a solution or an alternative option which boroughs should explore, it needs to be set out clearly with key participants identified.

Paragraph 9.8.7 also states that “Mayoral Development Corporations should cooperate with boroughs to ensure that the boroughs’ apportionment requirements are met. This could be widened to cover boroughs in the relevant waste disposal authority.” Lambeth is trying to collaborate with four other waste planning authorities (the Western Riverside authorities) to plan for waste, including a Mayoral Development Corporation (MDC) – the Old Oak Common and Park Royal Development Corporation (OPDC). While the OPDC is a waste planning authority, it does not have an apportionment target of its own. There is currently a barrier to the Western Riverside authorities planning for waste collectively because the OPDC is only considering waste capacity for the host borough (Hammersmith and Fulham) in its Local Plan. It is essential that MDCs take into account joint working arrangements when planning for waste in their area. It is therefore suggested that the wording in 9.8.7 is amended to “**The Mayor will ensure that** Mayoral Development Corporations ~~should~~ cooperate with **all planning authorities involved in waste planning, with particular regard to joint working relationships,** to ensure that the boroughs’ apportionment requirements are met. ~~This could be widened to cover boroughs in the relevant waste disposal authority.~~”

Paragraph 9.8.7 goes on to say that “Plans or agreements safeguarding waste sites should take a flexible approach.” It is not clear what is meant by this and it appears to contradict Policy SI9 which requires boroughs to identify and safeguard all existing waste sites and retain them in waste use.

Lambeth supports the reference to the Agent of Change principle (Policy D12) in paragraph 9.8.17 which will help to minimise conflicts of use from new development.

Table 9.3 gives the impression that no household and business waste will be exported from London after 2026, however waste will continue to cross boundaries after this date and so the table is

misleading for waste planning authorities outside London. It is suggested that the title is amended to “Projected net-exports of Household and Commercial & Industrial waste from London” to help clarify what the table is trying to show. A clearer picture of future exports could also be provided in paragraph 9.8.9, including what type of waste imports London will manage in order to balance the exports.

Lambeth supports the commitment given by the Mayor in 9.8.3 to work with the London Waste Planning Forum (LWPF) and neighbouring waste technical advisory bodies to address cross-boundary waste flow issues. The GLA’s increasing involvement in the LWPF has been integral to progressing waste planning in London, not just on cross-boundary issues. A commitment in the London Plan to the Mayor’s continuing involvement in waste planning in London, in particular through attendance at the LWPF, would be very welcome.

Policy S19 Safeguarded waste sites

Lambeth welcomes the explicit requirement for boroughs to identify and safeguard all existing waste sites and retain them in waste use. However, where Policy S18.A.2 references policy S19 it refers to safeguarding waste management sites rather than just waste sites. Given that “management” has a particular meaning in the London Plan, which excludes transfer stations, it would be useful if the word “management” was removed from Policy S18.A.2.

Lambeth also welcomes the definition of waste sites, that includes land with planning permission for a waste use or a permit from the Environment Agency for a waste use.

Paragraph 9.9.2 provides a methodology to estimate the throughput of a site and this is welcomed, but a five year overview may be more appropriate than three years as it allows for a longer economic cycle. It may also be helpful to provide a guide to the size of site required for compensatory capacity (throughput per hectare). This will allow boroughs to judge if a proposed replacement site is of an appropriate size. 60-65,000 tonnes per hectare is suggested as it is an approximate average of a range of technologies.

Paragraph 9.9.3 states “Policy S18 Waste capacity and net waste self-sufficiency promotes **capacity increases at waste sites** where appropriate to maximise their use. If such increases are implemented over the Plan period, it may be possible to justify the release of waste sites without capacity re-provision if it can be demonstrated that there is sufficient capacity available elsewhere at appropriate sites over the Plan period. In such cases, sites could be released for other land uses.” This appears to contradict Policy S19.C which states that the loss of a waste site will only be supported where compensatory capacity is made. Notwithstanding this, it is imperative that any release of waste sites without replacement capacity is tested against the ability of London as a whole to meet its target of net self-sufficiency. Without this test, individual boroughs will be able to release capacity without due regard to the London-wide targets in Policy S18.1.A. It is not clear where “elsewhere” is in relation to this policy and it should be clarified that this is “elsewhere in London”. Monitoring of London’s target of net self-sufficiency will be an important measure to assess if sites can be released on this basis. It should also be noted that it is far more difficult to develop a new waste facility in London than it is to safeguard an existing waste site. London’s need for waste capacity is shown to increase over the plan period and so the ultimate aim of a policy allowing any release of capacity is unclear.

See the additional point about monitoring of waste management under Chapter 12 below.

Policy SI10 Aggregates

A.4) Aggregates has a target of recycling 50% of CD&E waste as aggregates by 2020. It is not clear what the baseline recycling figure is and this will be required in order to monitor the effectiveness of the policy. Paragraph 9.10.3 references Policy SI7 and it is suggested that Policy SI10 is similarly referenced in paragraph 9.7.4.

There appears to be no mention of contamination land, which is referred to in the current London Plan. Should the new London Plan at least make clear that this is a matter for boroughs to address?

Chapter 10 – Transport

Lambeth is broadly supportive of the transport policies set out in the new London Plan and fully behind the strategic approach taken in T1, to reduce motorised traffic, and deliver the Healthy Streets vision in T2. Reducing motorised traffic will depend upon improved public transport, particularly in areas which are not currently well served and we look forward to working with TfL on developing and implementing plans to improve south London's rail and bus network.

The Healthy Streets approach is key for physical activity and tackling health inequalities. Positive and negative impacts of transport are distributed unequally, with the greatest burden of harm from a car dependent transport system falling on the most deprived in the capital. The benefits of the current transport system are also unevenly distributed, further exacerbating social inequalities.

However, Lambeth would like to request some clarifications and minor modifications to policy wording, set out below, so that boroughs like Lambeth are better able to deliver the Healthy Streets vision.

Policy T3 on capacity, connectivity and safeguarding includes table 10.1 of indicative transport infrastructure. No reference is made to space for developing the car club network. For some journeys cars will be the obvious choice and ensuring that new development secures publically available space for residents to access a car without the need to own one would support boroughs in delivering traffic reduction strategies. Given boroughs have been advised that state-aid rules preclude public money being used to install EV charge points that serve the car club bays, it would also be useful to have an explicit requirement for car club bays provided on new developments to be served by an EV charge point.

Table 10.1 references cycle hire infrastructure. Given the competing demands on kerbside space and need to provide adequate pavement widths to create pleasant walking environments, the requirement for new developments to provide space for cycle hire facilities should be made more explicit in the text of policy T3.

Policy T5 on cycle parking could be improved to provide greater clarity on what is considered acceptable quality. A disproportionate amount of time is spent by developers and council officers

debating this area when new developments are proposed. The London Cycle Design Standards includes a chapter on cycle parking and could be given material weight if referred to in the London Plan as the expected standard. A lot of emphasis is currently put on the quantity of cycle parking but quality should have equal importance. Too many recent developments meet the quantity criteria but in practice residents opt to store their bikes on balconies or other places rather than the cycle parking area.

Policy T6 has greatly reduced the amount of car parking permitted on new developments. Where public transport provision is good Lambeth supports the new car parking standards. In areas that are not currently well served by public transport the reduction in parking relies on improved public transport being delivered. Please include fuller guidance on what is an acceptable quantity of disabled parking. Along with cycle parking quality these two issues take up a disproportionate amount of time in discussions about new developments. Rather than require each borough to develop SPGs to streamline this process it would be preferable for both developers and boroughs if there was a clear London-wide standard.

Chapter 11 – Funding the London Plan

Policy DF1 Delivery of the Plan and Planning Obligations

Lambeth strongly supports the principle of this policy and the objective to embed planning policy requirements into land values. This will work best in circumstances where there is an up-to-date local plan that has recently undergone whole-plan viability testing alongside the requirements of the new London Plan, MCIL (at whatever are the finally agreed rates), local CIL and planning obligation requirements. Outside of these circumstances, developers are likely to argue that land transactions have not fully taken account of the requirements and/or that there are special circumstances.

For the same reason, Lambeth supports the principle of the threshold approach to affordable housing as set out above. However, there is a high risk that a new type of brinkmanship in negotiations will emerge at the point of deciding whether a scheme is eligible for the Fast Track Approach. Specifically, this will occur in relation to meeting “other relevant policy requirements and obligations to the satisfaction of the borough and the Mayor where relevant” (policy H6 C(3)). Developers will attempt to bargain with these requirements and obligations and boroughs may be pressurised into conceding the loss of lower priority requirements in favour of certainty on the affordable housing offer.

This problem is aggravated by the priority list given in Policy DF1. It is likely that obligations not mentioned in this list will rarely feature in Fast Track schemes. Those not mentioned include everything related to the environment, such as mitigation of open space deficiency, carbon off-set contributions and air quality mitigation measures. Public transport obligations are given a very high priority, second to affordable housing, but there is no mention of obligations for walking and cycling measures. There is no reference to obligations for employment and skills at all; and even affordable workspace, which is mentioned in the list as a lower priority, is likely to suffer.

Instead of the list in this policy, boroughs should be able to define in their local plans the requirements and obligations they require for development proposals to be eligible for the Fast Track Approach, in addition to Mayoral priorities.

See Lambeth's separate representation about MCIL2. Linked to this, Lambeth is concerned that the whole plan testing of the new London Plan policies and MCIL2 does not take account of borough level CIL rates (existing) and potentially allows limited scope for boroughs to bring forward new, higher CIL rates to help address future infrastructure requirements.

Chapter 12 - Monitoring

Policy M1 Monitoring

The 'Availability of industrial land' KPI does not align with the policy approach in the Plan. It needs to measure 'industrial floor-space capacity' as set out in policy E4 and on page 235, not just floor-space. Allowance needs to be made for operational yard-space capacity as well as floor-space, given the nature of many industrial uses.

Green coverage should be monitored through a KPI, given the new strategic target of 50 percent and the move towards the UGF approach.

There is no commitment to monitoring any of the targets set out in the waste policies in the London Plan. It is therefore not clear how the Mayor will be able to assess the effectiveness of these policies, for example how far London is achieving the goal of net self-sufficiency.

Lambeth welcomes the health KPI measuring active travel, and the link between provision of more cycle parking and the target of all Londoners doing two ten-minute periods of active travel a day by 2041.

The cultural infrastructure KPI needs clarification: how will 'no net loss of cultural venues and facilities' be measured? Will this be on a floorspace basis (using the use classes suggested in supporting text)? In that case, are different types of D1 use interchangeable, for example? Or is the intention to monitor loss against a named list of 'venues and facilities'? What will happen if a business closes for reasons unrelated to a redevelopment proposal? The floorspace might remain and be occupied by an alternative use within the same use class, but one that does not fall within the definition of a cultural venue or facility. Is it the loss of the cultural business or the building it occupied that is being monitored?