



Responses to the Development Management Local Plan – Proposed Submission Consultation

There were 18 respondents to the consultation, giving 78 individual representations. Officers have reviewed the representations received and where appropriate comment on potential modifications that could be made to the DMLP to accommodate the representations.

Proposed text deletions are marked using ~~strikethrough~~ and additions are marked in **bold and underlined**.

Two respondents stated that they may wish to participate at the oral examination and have asked to be kept informed of the Examination procedures. These respondents are Barton Willmore for Berkeley Homes Ltd (DMREP12) and Signet Planning for Renewal Group (DMREP13).

Officers' recommended full text changes are set out in a schedule of suggested modifications (DMLP1.7).

Respondent's Name/Representation ID/Wish to attend examination	Representation ID	Paragraph, Policy, Section, Figure	Legal Compliance / Soundness	Summary of representation	Officers' response	Potential modification
Chris Thomas (DMREP1) Attendance – Not stated	DMREP1.1	DM Policy 19(2): Shopfronts Signs and Hoardings	Unlawful/ Unsound	DM 19(2) has been significantly amended since the "Further Options" version which stated that permission would not be granted for posters/hoardings "which are considered to be out of scale with the building/site on which they are displayed". Agree with this statement but the present version says the Council will not grant consent for poster hoardings. This change is not supported by the NPPF. A poster is an 'advertisement' as defined within the statutory definition and in accordance with the NPPF	Agree. Officers recommend that the wording is reverted back to the 'Further Options' version.	Amend 19 (2) to state <u>'The Council will not grant consent for the display of poster hoardings which are considered to be out of scale and character with the building/site on which they are displayed and where they would harm visual or aural amenity or public safety. Temporary hoardings may be</u>

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				should be determined like any other advertisement on the grounds of amenity and public safety only. The policy should only presume against advertisements where their impact on public amenity or safety is damaging. Suggest DM 19(2) is deleted or redrafted to revert back to the wording in the "Further Options" version.		<u>suitable for some form of public art.</u>
Greentea Architects (Julia Wyatt) (DMREP2) Attendance – Not stated	DMREP2.1	DM Policy 3: Conversion of a single dwelling to two or more dwellings	Lawful/Sound	Concern with the Policy DM 3 The Conversion of Single Family Dwellings. Wording should be reconsidered and clarified. There should be a clear definition of what a single family dwelling is. Question what constitutes a dwelling suitable for a family. Consideration needs to be given to the suitability of the housing stock so that only vacant, unaffordable dwellings are not left. Agree with the policy in certain cases, where they are ground floor and have access to a garden they are clearly suitable for families and so should be retained.	The definition of a single family dwelling is explained in para 2.43 and officers consider that no further definition is required. However for clarity, officers recommend that the phrasing of the policy and justification are amended. DM Policy 3 1(a) & (b) clearly set out the conditions where a dwelling would not be suitable for family accommodation and officers consider no further clarification is needed.	Amend sentence two of para 2.43 to ' Smaller houses dwellings with fewer than three bedrooms should also be retained in order to provide housing choice' Amend Policy 3 (2a) to 'Any house dwelling considered suitable for conversion according to point 1 of this policy will need to have a net internal floor space greater than 130sq.m.'

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Ms Smith (DMREP3) Attendance – Does not wish to attend	DMREP3.1	DM Policy 3: Conversion of a single dwelling to two or more dwellings	Not stated	The policy contradicts London Plan paragraph 3.13 and Policy 3.3 (Increasing housing supply) which emphasises the pressing need for more homes in London and Lewisham's role in seeking to achieve and exceed its minimum borough annual housing target (1,105 dwellings) in order to meet local housing need.	DM Policy 3 seeks to retain housing choice, by preserving a range of housing sizes throughout the borough. The Council considers that the policy does not contradict the London Plan as the borough is on target to exceeding its annual housing target while at the same time meeting housing need by retaining a range of larger size houses.	No proposed change.
	DMREP3.2	DM Policy 3: Conversion of a single dwelling to two or more dwellings		Three bedroom homes need to be preserved for the growing number of families in the borough. Large 5, 6 and 7 bedroom homes e.g. 150sqm and above, should be able to be subdivided as long as a minimum of 1 x 3 bed family property with outside amenity space is retained. Thus creating more homes and choice in the borough, whilst maintaining family residences in keeping with the characteristics of the neighbourhood.	The Council is concerned that houses larger than three bedrooms are retained to preserve housing choice. Large houses do tend to be located in certain small areas (usually Conservation Areas) and these have been identified in the Lewisham Housing conversion Study in the evidence base. In some small areas it is possible that all the houses could be converted leading to lack of choice and pressure on the facilities in relatively small areas.	No proposed change.

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GL Hearn for Land Securities (DMREP4) Attendance- Not stated	DMREP4.1	DM Policy 11: Other Employment Locations	Not stated	Objected to a number of aspects of the proposed policy on 'other employment locations' on the Further Options version. Recognise that amendments have been made including changes to para. 2. We object to wording of the policy. Maintain objection to para. 3 which states alternative uses for sites in employment or retail uses that do not involve job creation/retention require marketing evidence for two- five years. This is justified by reference to London Plan SPG Land for industry & transport 2012. Do not consider the marketing timescales for sites related to industry and transport appropriate for town centre uses that must be more flexible to market demand. This would remove	The Council considers that the policy which seeks to protect employment uses is a valid response to maintain a range of uses in town centres. The policy covers a wide range of uses in differing areas. The requirement for marketing will be operated flexibly dependent on the nature of the building/site. These requirements are intended to show how the policy might operate and have not been included in the main policy wording. However, for clarity the wording within the justification text could be amended to provide a shorter timescales for B1(a) Uses within town centres where the demand for premises may be	Amend para 2.102 after the sentence 'The Council supports this approach.' By adding ' <u>A shorter timescale (up to 1 year) may be appropriate for B1 (a) centres where demand for premises may be higher.</u> '

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	DMREP4.2	DM Policy 11: Other Employment Locations		<p>a site from the economic market for two-five years while appropriate evidence was gathered. The NPPF recognises the need for planning policy to react quickly to the changing economic climate. This is not reflected within the policy as currently worded.</p> <p>Note that where non B uses are proposed to replace existing B uses there must be no net loss of jobs. This policy is unclear on how this will be calculated for a vacant site. Suggest this wording is removed and recognition given to other uses within the Town Centre subject to the benefits for each proposal. Consider that there is a need to recognise that while retails and leisure uses are generators of employment, they require different skill sets and should not be compared like for like. Retail and leisure are core Town centre functions and the benefits should be given due recognition in accordance with para 70 of the NPPF and DM 43.</p>	<p>expected to be higher.</p> <p>The number of jobs to be replaced on a site that has become vacant will be estimated using standard floor space calculations for various types of B Use Class employment. The Lewisham Employment Land Study 2008 (page 73 para.6.5) proposes the following employment densities: 'For offices, we use the same density assumptions as the London Office Policy Review. In the existing office stock, floorspace per worker is constant at 16.3 sq m. For industry and warehousing, we assume 32 sq m per worker, based on a 1997 survey by Roger Tym & Partners for SERPLAN, which was broadly confirmed by a similar 2004 survey by DTZ Pieda for SEERA .</p>	<p>Amend para 2.102 after the sentence 'The Council supports this approach.' By adding <u>'A shorter timescale (up to 1 year) may be appropriate for B1 (a) centres where demand for premises may be higher</u></p>

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	DMREP4.3	DM Policy 11: Other Employment Locations		<p>The proposed justification text does not provide enough flexibility to avoid the long term projection of sites which are no longer considered acceptable for office use. The following proposed wording allows the Council & Developer to agree on a case by case basis what is required to demonstrate the property is no longer required for employment. Each site has different constraints, there should not be a set requirement for marketing to be undertaken over two years in order for sites to be brought forward for retail and leisure. Para. 3 should be amended to "Where uses are proposed for a site or building in employment or retail use that do not involve any job creation or retention, it should be satisfactorily demonstrated that the property is no longer required for employment purposes"</p> <p>Amendments to Para 2.100 & 2.101 to remove references to London Plan SPG Land for industry and transport.</p> <p>Para. 2.103 states the Council will not assess buildings/sites that have not been maintained and will not consider</p>	<p>Policy DM 11 does not cover changes of use of properties that are in retail use. These changes are dealt with by the retail policies in the Development Management Local Plan.</p> <p>The Council is proposing to reduce the requirements for marketing for sites in B1 (A) use in town centre areas. It should also be noted that the marketing requirements are included in the justification to the policy and are not included in the main policy and that the approach in the London Plan Industrial Land SPG is supported while allowing for greater flexibility in terms of office uses in town centre areas where there is demand for these uses. The Council considers there is sufficient flexibility in the application of the policy.</p>	<p>Amend para 2.102 after the sentence 'The Council supports this approach.' By adding <u>'A shorter timescale (up to 1 year) may be appropriate for B1 (a) centres where demand for premises may be higher</u></p>

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	DMREP4.4	DM 17 Restaurants and cafes (A3 uses) and drinking establishments (A4 uses),		<p>marketing evidence to be valid in the absence of maintenance. We consider this an unreasonable requirement and would mean that derelict buildings would need to be developed before they could be marketed. This should be removed.</p> <p>Restaurants/cafes (A3) uses are key contributors to vitality and viability of town centres. DM 17 should provide guidance on managing these uses. There are onerous requirements on applications and we object to para 2.147 which requires details on how applicants intend to trade. This level of details is not always available . This should be removed as it can be dealt with by condition.</p>	Disagree. The information relating to how applicants intend to trade relates to part 2 (a-d) of the policy and this information is considered to be important in understanding the potential impacts of proposed development, management of these impacts and whether any ancillary uses are acceptable.	No proposed change.
RPS for Costco Wholesale UK Ltd (DMREP5) Attendance – Not Stated	DMREP5.1	DM Policy 10: Local Employment Locations	Not stated	To comply with NPPF there should be flexibility in within emerging development policies, to recognise a wide range of employment uses including Sui Generis uses are	Agree. Officers recommend that the wording could be amended to conform with Core Strategy Policy 3 Strategic Industrial Locations and Local Employment Locations, which	Add ' appropriate sui generis uses ' to the first sentence.

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				considered acceptable on employment land. The representation suggests that DM 10 is amended to recognise that Sui Generis uses are appropriate against B Class Uses.	states that 'The Council will protect the LELs for a range of uses within the B Uses Classes (B1, B8 and where appropriate B2 industry) and also appropriate sui generis uses, to support the functioning of the local economy'.	
Louise Venn (DMREP6) Attendance – Not stated	DMREP6.1	DM Policy 32: Housing design, layout and space standards	Not stated	DM Policy 32 'Housing Design Layout and Space Standards' replaces the old UDP Policy HSG 5 but removes all reasons for refusing housing developments which cause appreciable negative impacts on neighbouring properties' privacy, outlook, amenity or light.	HSG 5 started with 'The Council expects all new residential development to be attractive, to be neighbourly and to meet the functional requirements of its future inhabitants.' Officers agree and recommend that this could be added to DM 32 1.	At the beginning of DM Policy 32 (1) add ' <u>The Council expects all new residential development to be attractive, to be neighbourly and to meet the functional requirements of its future inhabitants.</u> '
	DMREP6.2	DM Policy 32: Housing design, layout and space standards		Add to DM Policy 32 Point 1: "The Council expects all new residential development to be attractive, to be neighbourly and to meet the functional requirements of its future inhabitants" in line with old UDP.	See above	Agree this change as above.
	DMREP6.3	DM Policy 32: Housing		Add to DM Policy 32 Point 2 "It is essential that new development	HSG 5 (a) says 'provides a satisfactory level of privacy, outlook	No proposed change.

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	DMREP6.4	design, layout and space standards Para 260		<p>does not adversely affect the amenity enjoyed by existing residential properties by unacceptably reducing the level of natural light received, the amenity or privacy of neighbouring homes, or by creating an unsightly outlook. Housing development must have regard to the amenities, stability and security of any existing community in which it is built.”</p> <p>Para 260 delete words ‘...on main rear elevations.’ As many homes have their principal rooms at the side and no other known authority limits these rules to principal room windows on rear elevations.</p>	<p>and natural lighting...’ and this could be added in. The amenity and security issues seems to be dealt with in 2b & 2d.</p> <p>Officers disagree. This is the usual approach taken by local authorities. Although standards for separation have been quoted these were always intended to be treated flexibly on the merits and particular context of the development.</p>	No proposed change.
	DMREP6.5	Para 260		<p>Add to par 260, the words, “slight angling of views between windows will not be sufficient to justify significant reduction of this minimum privacy distance”. To prevent developers angling windows slightly to get around this rule.</p>	<p>These issues will be judged on the merits of the individual circumstances. Privacy distances are considered flexibly dependent on the context and design of the development.</p>	No proposed change.

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	DMREP6.6	Para 260		Para 260 delete words "but will be applied flexibly dependent on the context of development" – as this phrase has been used recently by Planning Inspectors to justify the reduction of the 21m rule to an incredible 3metres and 5 metres.	See above	No proposed change.
	DMREP6.7	Para 260		<p>Add the 9m rule to para 2.260, to reflect the current Residential Standards SPD. Add, "The minimum distance between all habitable room windows and the flanks of adjoining development should normally be 9 metres or more".</p> <p>This is a vital protection, and just as important as the 21m rule. The 9m rule is used widely by local authorities across the UK (though it is usually 10m or more), and gives certainty to homeowners that their windows are safe from encroachment.</p>	<p>The situations could vary greatly and the need for new development and infill to deliver the needed homes means some flexibility is required on privacy. The Development Management Local Plan will be adopting London Plan Standards (London Plan Housing SPG) which do not refer to this standard but provides for a minimum space per proposed occupant.</p> <p>The 9 metre standard in the Residential Development Standards SPD was always intended to be applied flexibly according to the nature and context of the development.</p>	No proposed change

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	DMREP6.8	DM Policy 33: Development on infill sites, backland sites, back gardens and amenity areas		<p>Part A –pages 98 and 99 remove reference to side gardens under the Infill category.</p> <p>This will sow confusion, and allow developers to fence off parts of rear gardens, allowing any garden area which is not directly behind the house to be encroached on. Why provide weaker protections for side gardens, when many terraces have been designed to rely on the gaps left by these? Other local authorities have introduced a clear and simple presumption against all garden developments in certain areas, whereas the approach in the DMLP seems unnecessarily complex and weakly worded.</p>	The Infill policy is tailored to take account of the function gaps between houses play in the urban form of an area. The first sentence of the policy states that a potential infill site will undergo a preliminary assessment to its suitability for development in terms of the function it performs in the urban fabric. The intention is not to prevent infill development in all cases.	No proposed change.
	DMREP6.9	DM Policy 33 Development on infill sites, backland sites, back gardens and amenity areas,		<p>It is important to remove the word "back" garden from Policy 33 Part C, the glossary and throughout the document, and simply refer consistently to "residential gardens". Many houses in Lewisham have their gardens to the side, particularly on corners, and the impacts on neighbours of developing</p>	As stated above the Council considered infill development provided it takes place with appropriate safeguards for privacy and respects the urban form of an area as a legitimate way of improving the street scene an increasing the housing supply.	No proposed change.

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	DMREP6.10	DM Policy 30 Urban design and local character & DM Policy 33 Development on infill sites, backland sites, back gardens and amenity areas,		<p>these garden areas can be significant.</p> <p>DM Policy 30 and DM Policy 33 General Principles Part 3 should both contain reference to Lewisham Residential Standards SPD, and the requirement that all new development reflects the standards set out in this. It is most unusual to have such an important SPD and not reference it clearly in the Local Plan. . I do hope you are not planning to change it significantly without a full consultation and strategic environmental assessment</p>	<p>The Council is adopting the standards for new housing in the London Plan Housing SPG. Central government is seeking to simplify and harmonise housing standards. The adoption of the London Plan Housing SPG standards will contribute to this. The Residential Development Standards SPD will not be valid once the Development Management Local Plan is adopted as the policies on which it is based will have been superseded. The Development Management Plan has been the subject of a Strategic Environmental Assessment as part of its preparation and has been fully consulted on.</p>	No proposed change.
	DMREP6.11	DM Policy 33 Development on infill sites, backland sites, back gardens and amenity		<p>DM 33 part A Infill Sites Part C currently doesn't protect neighbours amenity, whereas Part B Backland sites does. I think this is a drafting error. Reword this to read. " result in no <i>appreciable</i> overshadowing or overlooking, , and no loss of security, <i>amenity, outlook or privacy</i>, to adjacent</p>	<p>Agree to add the word 'amenity' which is a drafting error. Infill development will have some effect on privacy and overlooking which should be minimised by any development. The issues considered are whether light to a neighbouring property is affected</p>	<p>Propose change clause 5 (c) to read: Result in no significant overshadowing or overlooking, and no loss of security or amenity to adjacent</p>

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		areas,		houses and gardens.	unacceptably. Not agreed. Infill development is considered legitimate.	houses and gardens No modification proposed .
	DMREP6.12	DM Policy 33 Development on infill sites, backland sites, back gardens and amenity areas,		DM 33 Part C Replace reference to "back gardens" with "residential gardens" – which is much clearer. See points above.	Not agreed. Para 2..273 makes the point about the importance of back gardens for all forms of residential development and provides an appropriate justification which is different from that for perimeter development.	No proposed change.
	DMREP6.13	Para 272		Point 2.272 should also replace "back" with "residential" and remove reference to perimeter style housing, so that it becomes a clear general point about the value of gardens to all homes.	For point 2.272 see above comments.	
	DMREP6.14	Para 268		Gated Developments 2.268 has weakened the old UDP's presumption against all gated developments. It is currently worded very unclearly, and does not prevent gated developments. "Security should be maintained through design, and gated developments will not be considered acceptable".	Agree that this change is acceptable.	Modify wording accordingly.

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	DMREP6.15	Para 267		2.267 should read "developments will be refused". It is unhelpful to say "may", as this weakens the policy.	Agree that this change is acceptable.	Modify wording accordingly.
	DMREP6.16	Para 258		<p>Ceiling Heights Point 2.258 references a requirement elsewhere in the document, to replicate the ceiling and floor heights of adjacent development. This appears to be a drafting error, in that I could not find such a requirement anywhere in Policies 30 or 33, as claimed. This needs adding.</p>	The use of the word ceiling heights in this paragraph is a drafting error. The wording should refer to respecting the form and proportions of adjacent development as discussed generally in Policy 30 and specifically in Policy 33 Clause 5(h).	Modify para 2.258 to read "Additionally there is a requirement in DM Policies 30 and 33 to <u>respect the form and proportions of adjacent development</u> "
	DMREP6.17	Para 259		<p>Sunlighting Point 2.259 Add the words "direct sunlight" before daylight. Direct sunlight is different from daylight, and is important in preventing poorly designed north facing flats and houses. This would reflect London Plan requirements better also.</p>	The London Plan Housing SPG states that housing should be designed to take advantage of direct sunlight and daylight as follows Standard 5.5.2 All homes should provide for direct sunlight to enter at least one habitable room for part of the day. Living areas and kitchens spaces should preferably receive direct sunlight. Agree that this would represent an improvement to the overall approach.	Agree a modification 'Single aspect flats will only be permitted where the design is shown to allow adequate daylight, and ventilation to all habitable rooms and <u>direct sunlight to at least one habitable room for part of the day. Living areas and kitchen spaces should preferably</u>

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	DMREP6.18	DM Policy 30 Urban design and local character		<p>Gardens What has happened to the old policy requiring all new family homes to have a minimum garden depth of 9m?</p> <p>DM 30 (replaces the old URB 3 Design and character) The old policy URB3 had a clear requirement to ensure "schemes are compatible with, or complement the scale and character of existing development and its setting (including any open space)". It is essential that this is added back in to DM 30 General Principles, or it will be difficult to use DM30 as a reason for refusal.</p>	As discussed above.	<u>receive direct sunlight.</u> No proposed change
	DMREP6.19				It is considered that the policy as worded achieves these aims.	No proposed change
	DMREP6.20	Glossary		<p>Glossary Add "<u>North Facing – North facing windows are generally defined as any windows within 45 degrees of due North.</u>" (this brings it in line with the London Plan on this definition)</p>	Agree change.	Agree addition to the glossary.
Rhys Cannon	DMREP7.1	General comment	Not stated	I wish to write to offer an opinion on	Noted.	No proposed change.

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(DMREP7) Attendance – Not stated				some elements of the Development Management Local Plan consultation on which I believe concludes later today at 5pm. I write as a locally based architect who frequently operates as an agent for clients within the borough making planning applications. We would be grateful if you could add our concerns to the comments received in relation to the consultation of the Development Management Local Plan.		
Rhys Cannon (DMREP7) Attendance – Not stated	DMREP7.2	Policy DM 3 The Conversion of Single Family Dwelling to Two or More Dwellings	Not stated	The general principle of the policy, and its stated aim, to ensure there is sufficient range of housing types and sizes within the Borough is good and justifiable however the wording and implementation of the such a policy must be made more clear. Suggested amendments: The definition of a single dwelling should be more clear, i.e. to suggest that previously sub-divided properties which are no longer considered as single dwellings should not be considered under the policy. In regard properties which also may be	The definition of a single family dwelling is explained in para 2.43 and officers consider that no further definition is required. However, for clarity officers recommend that the phrasing of the policy and justification are amended. DM Policy 3 1(a) & (b) clearly set out the conditions where a dwelling would not be suitable for family accommodation and officers consider no further clarification is needed.	Amend sentence two of para 2.43 to ' Smaller houses dwellings with fewer than three bedrooms should also be retained in order to provide housing choice' Amend Policy 3 (2a) to 'Any house dwelling considered suitable for conversion according to point 1 of this policy will need to have a net internal floor space

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				<p>exempt from the policy the definition of houses not considered suitable for family occupation, point 2.54 should also be clarified, i.e., justify what is required of a house to make it suitable for family occupation which we would consider includes:</p> <p>a) accommodation on the ground floor or with if not on ground floor only with good access including private ground floor hallway areas for the storage of children's buggies etc.</p> <p>b) directly accessible external amenity, ideally at ground floor and not accessed via communal areas (for means of security and convenience of families with young children etc)... (i.e. a suggested clarification of point 2.46).</p>		greater than 130sq.m.'
Theatres Trust (DMREP8) Attendance – Not stated	DMREP8.1	DM Policy 43Policy Art,cCulture and entertainment facilities.	Not stated	We support the Plan for Policy 43 which will encourage new and protect existing arts, cultural and entertainment facilities	Support noted	No proposed change
Royal Borough of Greenwich	DMREP9.1	Whole plan	Not stated	No objection. Broadly in support of local plan as a neighbouring borough.	N/A	No proposed change

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(DMREP9) Attendance – Not stated						
Environment Agency (DMREP10) Attendance – Not stated	DMRE10.1	Whole plan	Legal/Sound	Involved in previous consultations and satisfied that most comments have been incorporated in the proposed submission version.	Noted	No proposed change
	DMREP10.2	Para 2.14		Core Strategy Objective 6: Flood risk reduction and water management will require minor editing. On section 1.7 we would recommend reference to PPS25 be replaced by the National Planning Policy Framework. We are working closely with the London Borough of Lewisham to update their Strategic Flood Risk Assessment (SFRA) to ensure land use planning decisions are based on the latest flood risk evidence, mapping and the sequential approach to site development.	Noted. This comment relates to the Core Strategy and changes to reflect new policies and guidance will be made when the Core Strategy is reviewed. The Council are working with the EA on an update to the SFRA. Consultants have been appointed and a revised SRFA is expected in February 2014.	No proposed change
Greater London Authority (DMREP11)	DMREP 11.1	DM Policy 7 Affordable rented	Not in conformity	DM Policy 7 Affordable rented housing, and in particular its Clause 2 is not in general conformity with the London Plan as it restricts rent levels. The	The Council have proposed a meeting within the GLA to discuss a possible solution.	Any change will be dependent on the outcome of the

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Attendance – Not stated		housing		London Plan and the Revised Early Minor Alterations are clear that rent caps should not be imposed as they impede the maximisation of affordable housing delivery. They could restrict the overall numbers of units delivered for viability reasons, which would be contrary to the intent of the NPPF and out of general conformity with the London Plan Policy 3.11. The GLA Affordable Homes Programme for 2011-2015 is delivering a range of homes including affordable rent family housing (3 bedrooms or more) is at or near target rent this is a matter for housing investment rather than planning policy. To ensure that rent caps are not imposed via planning policy, it is suggested that Clause 2 is deleted.		proposed meeting.
	DMREP 11.2	DM Policy 8 Student Housing Para 78	Not Stated	Policy DM 8 is supported. However, in Paragraph 2.78, it should be clear that the borough should not restrict student housing provision to only meet the needs of higher and further education institutions within and adjoining the boroughs but should meet strategic needs as well as local ones in line with London Plan Policy 3.8 Housing Choice.	London Plan policy 3.8 specifically mentions 'strategic and local requirements for student housing....'. It is therefore appropriate to clarify this in paragraph 78 as requested.	Amend the second sentence in para 2.78 to 'both within and adjoining the borough and across London '

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	DMREP11.3	DM Policy 9 Mixed use employment locations & DM Policy 10 Local employment locations.	Not Stated	The policy statements in DM Policy 9 and 10 Clause 4 are acceptable provided that the Council can justify that there is demand for continued use of the designation in a local up to date employment land review in line with London Plan Policy 4.4 and the Mayor's Town Centres draft SPG.	The Core Strategy defined the mixed use and local employment locations and is recently adopted in June 2011. The designations were based in part on evidence in the Employment Land Study 2008. The Council considers the evidence is still relevant and is consistent with London Plan policy 4.4.	No proposed change
	DMREP11.4	DM Policy 22 Sustainable design and construction.	Not stated	DM Policy 22 is supported; however it would be helpful to add a reference to carbon dioxide off-setting in line with London Plan Policy 5.2 for developments that do not achieve the carbon dioxide reduction targets.	DM Policy 22 is in addition to the London Plan and Core Strategy policies, and relates to specific issues and circumstances. It is considered unnecessary to repeat the higher level policies found in the London Plan as they are already part of the development plan for the borough and as such are taken into account when considering development proposals	No proposed change
	DMREP11.5	Para 2.175	Not stated	The Mayor is currently consulting on his Sustainable Design and Construction draft SPG. A reference to the updated document should be added in the final version of the local plan.	The Council consider that this would be appropriate if timing for adoption of SPG allows.	Possible change in reference to latest SPG

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	DMREP11.6	Para 2.183 – DM Policy 23 Air quality.	Not stated	It would be helpful to note the methodology recently published in the Mayor's draft Sustainable Design and Construction SPG on 'air quality neutral.'	DM Policy 23 is in addition to the London Plan (Policy 7.14) and Core Strategy policies, and relates to specific issues and circumstances. It is considered unnecessary to repeat the higher level policies found in the London Plan as they are already part of the development plan for the borough and as such are taken into account when considering development proposals." Comments noted.	No proposed change.
	DMREP11.7	General	Not stated	As TfL is the highway authority for the A21 and the A205 South Circular Road , both of which form part of the Transport for London Road Network, TfL has an interest in the safety and operation of these roads and their use by all modes. In addition TfL has responsibilities for most existing and proposed public transport serving the borough and an interest in the network of strategic pedestrian and cycle routes.	Comments noted.	No proposed change.

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	DMREP11.8	DM Policy 10 Local employment locations.	Not stated	During the Further Options stage of consultation on this document, TfL requested clarification on whether appropriate transport uses characteristically similar to class B uses could locate within LEL's. TfL is disappointed that this suggested amendment has not been made but nonetheless would expect that proposals for these sui generis uses within a LEL could be considered positively in principle subject to an assessment of their impacts on a case by case basis.	The wording could be amended to conform with Core Strategy Policy 3 Strategic Industrial Locations and Local Employment Locations, which states that 'The Council will protect the LELs for a range of uses within the B Uses Classes (B1, B8 and where appropriate B2 industry) and also appropriate sui generis uses, to support the functioning of the local economy'.	Add ' <u>appropriate sui generis uses</u> ' to the first sentence.
	DMREP11.9	DM Policy 19 (g) Shopfronts, signs and hoardings.	Not stated	It is noted that permission will be refused for advertisements, banners, blinds, canopies and awnings that are considered to adversely impact on highway safety and operations. TfL would like to reiterate the importance of considering the impacts of such proposals on pedestrians, cyclists and public transport operations, in addition to the narrowly interpreted meaning of	It was not our intention that the words used '..adversely impact on highway safety and operations' should not include any adverse impact on users including adverse impacts on pedestrians, cyclists and public transport operations. For clarity these could be added.	Add to part g ...' <u>including adverse impacts on pedestrians, cyclists and public transport operations.</u> '

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	DMREP11.10	DM Policy 29 Car Parking	Not stated	vehicular safety and operations. TfL therefore requests clarification on whether the wording of this policy would allow for these bus, pedestrian and cycle matters to be considered or whether the wording could be so amended. The borough has not set out car parking standards in this document and the Core Strategy states that London Plan car parking standards will be used as a basis for assessment. It may be helpful if these standards (outlined in London Plan table 6.2) were reproduced in a small table or appendix in this document for further clarity.	This is a presentational issue and a case can be made that it would assist users of the plan to have the standards in the plan at some point such as an appendix.	Amend para 2.227 and add to the end of last sentence 'London Plan Policy 6.13 <u>and Table 6.2 (replicated in Appendix 8)</u> '
	DMREP11.11	DM Policy 29 Car Parking	Not stated	TfL remains of the opinion that ambiguous terms such as 'car limited development' should be defined and that uses of such terminology should be consistent throughout the suite of development plan documents. Without definitions and consistent use of the terms, policy will be open to differing interpretations	Officers consider that the term 'car limited' development is adequately defined in para 29 (2 a-g) and no further definition or clarification is required.	No proposed change.

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	DMREP11.12	DM Policy 29 (5) Car Parking	Not stated	<p>potentially undermining achievement of the core transport objectives of the London Plan.</p> <p>Tf L welcomes the commitment to ensure all new developments have electric vehicle charging points serving 20% of parking bays. The borough is reminded that London Plan policy and table 6.2 also requires passive provision. TfL requests that the wording of this policy be amended accordingly to ensure full compliance with the London Plan.</p>	Officers agree and recommend that the policy is amended.	Amend the first sentence of DM Policy 29 (5) to 'All new development will need to ensure that an appropriate number of parking bays have an electric charging point installed and the appropriate level of passive provision, in line with London Plan Table 6.2 Parking Standards (replicated in Appendix 8)'
	DMREP11.13	Waste	Not stated	The development policies document has no policies which deal specifically with waste. Importantly the local plan needs to identify criteria to evaluate proposals for waste management as stated in London Plan Policy 5.17. The	London Plan Policy 5.17 (B) sets out criteria for the evaluation of waste management proposals. The above criteria are found within part B 'Planning Decisions' and not LDF preparation, which it met by the Core	No proposed change.

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	DMREP11.14	DM Policy 30 Urban Design and Local Character.	Not stated	<p>document should apply all the criteria as set out in London Plan Policy 5.17. Lewisham should use the updated apportionment figures as set out in the London Plan 2011 for its development plan document and in implementing their Core Strategy.</p> <p>Lewisham Council is a statutory consultee for two of the Mayor's strategic views and protected vistas. Please refer to the Mayor's London View Management Framework (2012) and the London Panoramas SA.2 and 6A.1). Development proposals should take into account the Mayor's strategic views in line with London Plan Policy 7.12. DM Policy 30 should therefore refer to them.</p>	<p>Strategy. As the London Plan forms part of the development plan the Council consider that the above criteria, together with the NPPF are sufficient for decisions on waste applications.</p> <p>Core Strategy policy 17 deals with strategic views and the Council has nothing further to add in DM document.</p>	No proposed change
Barton Willmore for Berkeley Homes Ltd (DMREP12) Attendance- May want to attend	DMREP12.1	General Comment	Not stated	Berkeley Homes seeks to allow greater flexibility in the preparation of policy documents, ensuring that they are not overly prescriptive; are in line with the National Planning Policy Framework (NPPF); and will assist in alleviating planning barriers to redevelopment that	N/A	No proposed change.

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				have previously existed to ensure that development can come forward in a timely, viable and sustainable manner. It is in this context that we make the following representations on the Development Management Local Plan – Proposed Submission document.		
Barton Willmore for Berkeley Homes Ltd (DMREP12) Attendance- May want to attend	DMREP12.2	DM Policy 4 Conversions of office space and other B Use Class space into flats and DM Policy 9 Mixed Use Employment Locations	Not consistent with NPPF	Berkeley Homes appreciates the importance of Mixed Use Employment Locations within the Borough. Nevertheless, in order to deliver the greatest regeneration benefits, they consider that these areas need to be treated with an appropriate degree of flexibility and need the ability to respond fluidly to market signals. Being overly restrictive on changes of use of B classes in the key regeneration areas could result in vacant premises, which could deter inward investment, and in some incidences, could even prevent some developments from coming forward. As such, we consider that this policy should be applied more flexibly to respond to site specific circumstances and market conditions. Furthermore, whilst it is noted that DM Policy 9 seeks to align with the strategic aims set out in the adopted Core Strategy, notably Core Strategy Policy 4 (adopted 2011, pre-NPPF), as currently drafted, we do not consider that DM Policy 9 is in accordance with the NPPF,	The Council consider that the Policy is sufficiently flexible and does not seek to prevent the change of use of individual B Use Class premises to other non-B uses. What it does do is seek to ensure that the overall balance of uses on the sites is maintained as per the original permission in order to ensure that a viable mixed use community remains and that the aims of the Core Strategy are maintained. The premises for these uses according to the policy should be flexibly specified and accommodate a variety of commercial uses.	No proposed change

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				<p>Paragraph 22 of the NPPF states: 'Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.'</p> <p>4. Proposals for changes of use on non-residential floorspace to residential use will not be considered appropriate on MELs due to the need to ensure that the balance of uses in the site is retained, <u>unless there is no reasonable prospect of the site being used for allocated employment use. In circumstances where the level of prospect is in doubt, sites should be reviewed against the following criteria:</u></p> <p>a. <u>The site has become vacant for an appropriate length of time and evidence is provided that it is no longer suitable and viable for its existing or an alternative business use by reason of access difficulties or environmental incompatibility, and</u></p> <p>b. <u>that a suitable period of active</u></p>		

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				<p><u>marketing of the site for re-use/redevelopment for business uses through a commercial agent, that reflects the market value has been undertaken.</u></p> <p><u>In instances where this criterion can be met, applications for change of use to residential will be treated on their merits having regard to market trends and relative housing need.</u></p> <p>These comments should also be reflected in DM Policy 4, at Point a.</p>		
<p>Barton Willmore for Berkeley Homes Ltd (DMREP12)</p> <p>Attendance- May want to attend</p>	DMREP12.3	DM Policy 29 Car Parking	Not stated	<p>In principle, Berkeley Homes supports the aim of this policy which seeks to ensure the effective implementation of car limited development and prevent any detrimental impact upon local neighbourhoods. However, as currently drafted DM Policy 29 does not promote car limited development in areas with a PTAL lower than 4. This appears to be a very prescriptive measure and can even be seen to encourage the use of cars in areas with a 'good' accessibility rating. We do not consider that this is in line with national planning policy which seeks an overall need to reduce the use of the private car and the wider presumption of sustainable development.</p> <p>In addition, the policy wording of the criteria in part 2 (a-g) is not clear on whether all the criteria need to be met or just some of them. On the basis of the above we suggested the following</p>	<p>The Council considers that the policy promotes car limited Development in areas of good public transport accessibility but for clarity the Council recommend that the policy is amended to refer to 'good' rather than the PTAL number.</p>	<p>Amend DM Policy 29 2(a) to 'PTAL level of 'good' or higher, or where this can be achieved through investment in transport infrastructure and services'</p>

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				<p>re-wording for part 2 of DM Policy 29: 2. Car limited major residential development will only be considered where there is: a. PTAL level 4 or higher, or where this can be achieved through investment in transport infrastructure and services; b. no detrimental impact on the provision of on-street parking in the vicinity; c. no negative impact on the safety and suitability of access and servicing; d. protection of required publicly accessible or business use car parking; e. inclusion of car clubs, car-pooling schemes, cycle clubs and cycle parking and storage, as part of a package of measures mitigating the need for on-site car parking provision; f. an equitable split of parking provision between private and affordable residential development; <u>and</u> g. on-site accessible priority parking for disabled drivers.</p>		
Barton Willmore for Berkeley Homes Ltd (DMREP12) Attendance- May want to attend	DMREP12.4	DM Policy 32 Housing design, layout and space standards	Not in accordance with London Plan	Berkeley Homes strives to achieve high quality design in all of their developments. Accordingly, they are, in principal, supportive of a policy that seeks to ensure the long term sustainability of new housing developments by meeting present and future need. Furthermore, our client is supportive of a planning policy framework that is easy to use and in accordance with regional policy. On	The Council does not consider that the policy is not in line with the London Plan. The GLA have not objected to the inclusion of this element in the policy which seeks to ensure that single person accommodation is in areas of high public transport accessibility due to	Amend Policy 32 (e) to Studio flats (one person dwellings at GIA 37 sq. m.) Single person dwellings will not be supported other than in exceptional circumstances.

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				<p>this basis, our client is supportive that the standards set out in the London Plan and London Plan Housing SPG (2012) will be used to assess the appropriate quality of new build developments. However, after a review of the proposed policy wording, our client does not support Part 4E in relation to studio flats. The proposed wording states that:</p> <p>"Studio flats (one person dwellings at GIA 37 sq.m.), will not be supported other than in exceptional circumstances. Developments will be required to have an exceptional design quality and be in highly accessible locations in the major and district town centre"</p> <p>This is not in accordance with the London Plan Policy 3.5 (supporting para 3.36) which states:</p> <p>"Single person dwellings of less than 37sq.m. may be permitted if the development proposal is demonstrated to be of exemplary design and contributions to achievement of other objectives and policies of this Plan."</p> <p>London Plan Policy 3.5 does not preclude development of studios at 37 sqm. However, it does make clear that units of less than 37 sqm should be of exemplary design and make a significant contribution towards other achievements of the Plan's wider objectives. It is accepted that these one</p>	<p>the high density of the development of this type of accommodation which is in line with the locational policies of the London Plan.</p>	<p>Developments will be required to have an exceptional design quality and be in highly accessible locations in the major and district town centres'</p>

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				<p>person units must be exceptional in the context of overall housing mix in a scheme, or in a particular location, and they must clearly embody exemplary design standards. As currently drafted this is not reflected in draft DM Policy 32.</p> <p>Studio apartments are an important dwelling type and help provide a varied mix of units. Most importantly, they give first time buyers a better chance of getting a foot on the property ladder and the London Plan doesn't preclude their use in certain areas. On this basis, we suggest that the Part 4e of Policy DM32 in removed to be in line with the London Plan.</p>		
Signet Planning for Renewal Group (DMREP13) Attendance – Keep informed	DMREP13.1	General comment		<p>Renewal will be seeking to redevelop the site within the lifetime of the Core Strategy and are currently liaising with the London Borough of Lewisham to progress with the first phases of development. We hope that these comments can be taken into account in developing the submission version of the Lewisham Development Management Local Plan.</p> <p>We trust these representations will be duly considered in the on-going preparation of the Council's</p>	Noted.	No proposed change

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				development plan. We wish to be kept informed of any future consultations on this document.		
Signet Planning for Renewal Group (DMREP13) Attendance – Keep informed	DMREP13.2	DM Policy 1 Presumption in favour of sustainable development.		Paragraph 151 of the NPPF states that “Local Plans must be prepared with the objective of contributing to the achievement of sustainable development”. To this end, they should be consistent with the principles and policies set out in this Framework, including the presumption in favour of sustainable development. Renewal therefore wholly support policy DM1 which states that the Council will take a positive approach when considering development proposals consistent with the presumption in favour of sustainable development.	Noted.	No proposed change
Signet Planning for Renewal Group (DMREP13) Attendance – Keep informed	DMREP13.3	DM Policy 7 Affordable rented housing.	Unsound	Notwithstanding the above, Renewal do consider that a number of policies set out in the Development Management Document are unsound. In particular we consider that Policy DM7 relating to Affordable Rent is not in general conformity with the London Plan or NPPF and is not a basis for informing	The Council proposes to have a discussion with the GLA to agree on an acceptable wording.	This will depend on the outcome of the meeting with the GLA.

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				<p>development management of, and the Council's more general approach to, Affordable Rent in Lewisham. Our objection focuses particularly on point (b) which seeks to cap affordable rent for dwellings of 3 bedrooms or more. As I am sure you are aware, the Mayor of London considers that policies which seek to cap the level of Affordable rent that can be charged contrary to the London policy to maximise affordable housing output because it constrains the operation of the Affordable Rent product in the manner anticipated by the NPPF and the HCA/CLG 2011 Investment Framework.</p> <p>The planning approach to Affordable Rent as defined in both documents must provide scope on a case by case basis for rents to be charged up to 80% market rent. Whilst in practice this allows higher rents on smaller units (up to 80%) to effectively cross subsidise family units at or around target rents, addressing the pressing need for affordable family accommodation, the policy should not stipulate that</p>		

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				affordable rents cannot exceed 'target rents' for larger units.		
Signet Planning for Renewal Group (DMREP13) Attendance – Keep informed	DMREP13.4	DM Policy 7 Affordable rented housing.	Unsound	In addition, the policy has little regard to the fundamentals of development viability, other than to cross reference the Core Strategy Policy 1. The NPPF makes clear (paragraph 173) that pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking. Plans should be deliverable. To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing should, when taking account of normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable. Further Paragraph 50 of the NPPF specifies that affordable housing policies should be sufficiently flexible to take account of changing market conditions over time. Inevitably, this requires viability considerations to be addressed. To	The Council proposes to have a discussion with the GLA on an acceptable wording.	This will depend on the outcome of the meeting with the GLA.

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				require dwellings to remain at 'target rents' in perpetuity would be inconsistent with paragraph 50 of the NPPF. The policy therefore as a whole is not sufficiently flexible to account for changing markets, and is therefore considered unsound.		
Signet Planning for Renewal Group (DMREP13) Attendance – Keep informed	DMREP13.5	DM Policy 9 Mixed use employment locations.	Unsound	Renewal also raise objections to Policy DM9 which stipulates that within Mixed Use Employment areas, "future changes of use should ensure that the proportion of B uses within the development does not fall below that which was originally granted permission in line with the aims of the Core Strategy". Paragraph 21 of the NPPF specifically states that "Investment in business should not be over-burdened by the combined requirements of planning policy expectations. Planning policies should recognise and seek to address potential barriers to investment. Policies should be flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances".	The Council consider that this policy is sufficiently flexible and does not seek to prevent the change of use of individual B Use Class premises to other non-B uses. What it does do is seek to ensure that the overall balance of uses on the sites is maintained as per the original permission in order to ensure that a viable mixed use community that meets the aims of the Core Strategy is maintained. The premises for these uses according to the policy should be flexibly specified and accommodate a variety of commercial uses.	No proposed change

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				<p>Paragraph 22 makes it clear that planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities. Policy DM9 should therefore be amended to allow for a reduction in B Class uses on MELs 'if appropriate market/viability evidence can demonstrate that alternative uses, including residential, would be appropriate'.</p>		
Signet Planning for Renewal Group (DMREP13) Attendance –	DMREP13.6	DM Policy 9 Mixed use employment locations.	Unsound	Furthermore, point 3 which seeks proposals to be delivered with an internal fit out suitable for a range of B Class uses goes far and beyond the	Flexibly specified buildings are considered essential to ensure the long term sustainability of employment uses on these sites.	No proposed change

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Keep informed				requirements of the Strategic Site Allocation policies in the Core Strategy and is not considered necessary or appropriate in the context of the NPPF or the London Plan to support long term employment uses.	Flexible buildings will allow the reconfiguration of internal spaces to suit new occupiers with different space requirements and also allow the retention of existing business to expand in situ, thus ensuring occupation.	
Blackheath Society (DMREP14) Attendance – Not stated	DMREP14.1	Para 2.35 DM Policy 1: Presumption in favour of sustainable development	Not stated	The wording of the supporting sections could be amended to provide a more balanced perspective on planning issues. In paragraph 2.35 replacement the words 'golden thread' with 'consistent thread'.	The term 'golden thread' is used within the NPPF (para 14) and is considered appropriate.	No proposed change.
	DMREP14.2	DM Policy 12 Section (e) Hotels.	Not stated	The wording potentially confusing. The overall policy is to give preference to hotel developments in areas where the need for parking is minimized. Section e) would be more obviously consistent with this approach if it said something like: "provides a level of car parking consistent with the location and accessibility of the hotel, taking account of the overall preference for locations in town centres and in areas where there is good public transport accessibility.	For clarity the Council agree and recommend to amend 12 (e)	Amend the end of the sentence to read <u>'...where there is a good public transport accessibility. There is a preference for car free development'</u>

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				There is a reduced need for parking in such areas and there is a preference for car free development wherever possible".		
	DMREP14.3	DM Policy 14 District centres shopping frontages.	Not stated	Support the policy approach contained in section 2 (which applies to Blackheath). However the inclusion of uses A2, A3, A4 and D2 creates a wide potential range of uses for former shopping frontages. The Blackheath Society's principal concern is with the physical environment and character of the village. As such, we strongly agree that retail frontages should not be converted to retail use. We would also not wish to see a proliferation of fast food outlets or betting shops, for example and it is not clear that the provisos under section 2 provide sufficient safeguards against this.	Support for the policy is noted. The Council can not apply specific controls to betting shops as they are classified as A2 uses under the Use Class Order, which also cover uses such as estate agent's offices and banks. Hot food take-away shops are addressed in a borough-wide policy (DM Policy 18).	No proposed change.
	DMREP14.4	DM Policy 19 Shopfronts, signs and hoardings.	Not stated	Strongly support this policy. We note however that it seems to apply only to new shopfronts, signs and hoardings. Whilst we understand the constraints on	Disagree. Breaches of Planning Control are dealt with planning enforcement and new applications for signs and shopfronts would be	No proposed change.

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				making such a policy retrospective so that it would apply to existing installations, we would suggest that there might be some sanction over existing signs or shopfronts which would not meet the criteria. These could then at least be on the planning file. Many shops are refurbished at regular intervals and all available opportunities should be taken to rectify past mistakes.	adequately assessed with DM Policy 19.	
	DMREP 14.5	DM Policy 20 Public houses.	Not stated	Strongly support the proposed policy. Our only comment here is that we would not wish the policy on public houses and the justification for it to be so complex as to make it unworkable. There would seem to be some risk of that, given that the details of the policy and the background to it take up four pages of the document. It is for Lewisham to judge whether this level of detail and prescription is more or less likely to make the policy workable. An alternative could be a slightly simpler, more principles-based approach,	The Council consider this policy is workable and provides clear direction on the level of detail expected with a planning application, in order to achieve the policy aims.	No proposed change.

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	DMREP14.6	DM Policy 25 Landscape and trees	Not stated	Strongly support the policy on landscaping and trees. Whilst understanding the legal and resource constraints on imposing, maintaining and enforcing Tree Preservation Orders, we would urge Lewisham to take as strong a line on this as is practicably possible.	Noted.	No proposed change.
	DMREP14.7	DM Policy 29 Car parking.		We support the thrust of this policy. However the current wording is rather unclear. Paragraph 2 currently reads: "Car limited major residential developments will only be considered where there is..." This presumably means that developments requiring parking will only be considered where the conditions are met – and even then, the developments will be expected to be car limited. As currently drafted however it could be read as meaning that car limited developments will only be allowed when the conditions are met – and that the default alternative is non-car limited development – the opposite	Disagree. Officers consider that the policy is clear and no further amendments are required.	No proposed change.

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				<p>of what we assume is intended.</p> <p>The introduction to paragraph 2 could perhaps be improved using language along the lines of: "Major residential developments requiring parking will only be considered where there is ... [list conditions a-g] Even where these conditions are met, the permitted development will be strictly car limited."</p>		
	DMREP14.8	DM Policy 33 Development on infill sites, backland sites and back garden and amenity areas.	Not stated	<p>Whilst we support this policy, there is little discussion of the collateral effects of such developments. Account needs to be taken of the likely parking needs associated with them for example. We would argue that the criteria for development should include the need not to place additional burdens on existing parking space. This is not quite the same issue as access, which is explicitly referred to in various places.</p>	<p>The Council consider that DM Policy 29 and Core Strategy Policy 14 adequately deal with car parking and no further clarification is needed.</p>	<p>No proposed change.</p>

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	DMREP14.9	DM Policy 36 New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens,	Not stated	We would wish to see stronger and clearer wording of this policy to state explicitly that it is incumbent on the applicant to demonstrate that the public interest will be best served by the new development going ahead. We believe for example that General Principle 2 should be re-worded. The first sentence ("Where the significance...convincing justification") is fine. The second however should be re-worded along the following lines: "The council will consider any wider public benefits which may flow from the development and the case for these in the impact assessment will need demonstrably to outweigh any detrimental effects of the loss of the asset".	Para 2 in its entirety seeks a 'clear and convincing justification' in the event that the significance of an asset would be harmed. By implication, if an applicant cannot demonstrate this then the harm would not be fully justified. Para 2 is considered to be clear and no further alteration is considered necessary.	No proposed change.

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	DMREP14.10	DM Policy 38 Demolition or substantial harm to designated and non-designated heritage assets.	Not Stated	<p>Here too, we would wish to see stronger and clearer wording to support the aims of the policy (which we strongly support). Paragraph 2 of the policy makes the point well. Point 3 however makes no sense as currently drafted. If the applicant cannot demonstrate substantial public benefits, why would the proposal be considered at all? This seems inconsistent with the preceding paragraph.</p> <p>The whole policy statement would be much clearer and stronger if it was re-cast along the following lines:</p> <ul style="list-style-type: none"> • Existing para 1 • Existing para 2 • Para 3: something like: 'in weighing the balance of the potential public benefits and the potential loss of the assets concerned or harm to them, account will be taken of ... [items a – e] • New para: it will be incumbent on the applicant to demonstrate that the public benefits clearly outweigh the potential loss of 	Disagree. Policy 38 has been based on para 132 & 133 of the NPPF and this is considered to be sufficient and appropriate.	No proposed change.

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				<p>the asset or harm to it</p> <ul style="list-style-type: none"> Existing paras 4 - 8 		
<p>Mono for Mobile Operators Association (DMREP15)</p> <p>Attendance – Not required</p>	DMREP15.1	<p>General comment & DM Policy 39 Domestic satellite dishes and telecommunications equipment.</p>	Not stated	<p>Support the inclusion of Policy DM 39, within the Development Management Local Plan. We welcome the inclusion of this policy within the LDP to facilitate telecommunications development and support its provisions which we find to be generally in accordance with the guidance within National Planning Policy Framework (NPPF) relating to both development planning and to support for communications infrastructure.</p>	No response required	No proposed change.
<p>Mr Michael Abrahams (DMREP16)</p> <p>Attendance – Not stated</p>	DMREP16.1	DM Policy 19: Shopfronts, signs and hoardings	Legally compliant. Unsound.	<p>New shops, particularly below new residential developments, are often built without any frontage - only wooden boarding. This has a negative impact on the streetscape, especially when the shops are not actively marketed and remain empty for years.</p> <p>A condition should be imposed on any</p>	Officers agree that the policy could be amended to ensure an appropriate fit out of shop fronts within new developments. Larger schemes usually secure the installation of shop fronts etc. through S106 agreements. However, the additional wording could provide a stronger emphasis on provision at the application stage.	<p>Add an additional criteria to DM 19 (1) '<u>J. Where applications require a new shop front in addition to new residential units an appropriate level of fit out will be sought</u>'</p>

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				<p>new shops built or renovated such that planning permission is required, that the frontage of the shop should be completed and that basic utilities are available within the shop in line with class uses in the application. I would recommend a new clause 1j in inserted: "Where applications require a new shop front in addition to new residential units, new shopfronts must be completed in line with these policies, and shops available for immediate occupation, prior to the occupation of any residential units"</p>		

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	DMREP16.2	Neighbourhood Local Centres. Paragraph 2.130		Honor Oak Park should be considered a Neighbourhood Local Centre in the same context as Brockley Cross, Crofton Park, Downham Way, Grove Park and Lewisham Way. Honor Oak Park is comprised of two roads which together make up more than local shopping parades. The increased frequency of rail services through Honor Oak Park since 2010 has increased footfall in the town centre and this has led to the opening of new businesses including a deli and a Sainsbury's supermarket. Honor Oak Park should now be managed by the council in the same way that other Neighbourhood Local Centres are managed.	The retail hierarchy is established in Lewisham's adopted Core Strategy, Policy 6. The hierarchy will be reviewed along with any future review of the Core Strategy / Local Plan.	No proposed change.
Natural England (DMREP17) Attendance – Not stated	DMREP17.1	Support		The Local Plan Proposed Submission version, as at this time, can be broadly supported by Natural England.	Noted	No proposed change.
	DMREP17.2	General comment		The comments made previously in our correspondence dated January 14th 2013, relating to the updating of the document to come into line with the National Planning and Policy	Noted.	No proposed change

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				Framework (NPPF) should now be included to bring the document up to date fully.		
	DMREP17.3	Green Infrastructure - support		The sections relating to Green infrastructure, whether this is in Plans or Strategies are a very useful tool for attaining high quality sustainable design. Open Space and Biodiversity and Landscape and Trees are welcomed sections that were commented on in the previous correspondence and would be useful in achieving resilient and sustainable ecosystems within designs.	Noted.	No proposed change.
Thames Water (DMREP18) Attendance – Not required	DMREP18.1	Policy Omission: Waste and Waste Water Infrastructure	Unsound. The document is not effective and is not consistent with national policy	Given the importance of water and sewerage/wastewater infrastructure issues, Thames Water are concerned that there is not a specific policy in respect of such issues or the provision of utilities infrastructure in general within the Development Management Local Plan. Thames Water consider that the Development Management Local Plan should cover the key issue of the provision of water and sewerage infrastructure to service development.	The Council appreciates that it is important to deal with water/waste water infrastructure and the necessity to have appropriate infrastructure to deal with the requirements of new development. The Council considers that to meet the concerns of Thames Water regarding the provision of appropriate infrastructure for new development the following paragraph could be added:	Add a new paragraph 2.16 on page 11, at the end of 3. Environmental management, before 4. Building a sustainable community. (See officer's response)

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				<p>A key sustainability objective for the preparation of the Local Plan should be for new development to be co-ordinated with the infrastructure it demands and to take into account the capacity of existing infrastructure. Paragraph 156 and 162 of the National Planning Policy Framework (NPPF) are relevant</p> <p>Changes required to achieve compliance</p> <p>In order that the Development Management Policies Local Plan is effective and compliant with national and London Plan planning policy, an additional Policy dealing with water and sewerage infrastructure is suggested</p>	<p><u>'Water supply and sewerage infrastructure</u> <u>Applicants will be required to demonstrate that there is adequate water supply, waste water capacity and surface water drainage both on and off the site to serve the development and that it would not lead to problems for existing or new users. In some circumstances it may be necessary for applicants to fund studies to ascertain whether the proposed development will lead to overloading of existing water and/or waste water infrastructure. Drainage on the site should maintain the separation of foul water and surface flows.</u> <u>Applicants are advised to contact Thames Water to discuss the infrastructure necessary to serve the development on 0845 850277, as part of the pre-application process.'</u></p>	

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Thames Water (DMREP18) Attendance – Not required	DMREP18.2	DM Policy 22 Sustainable Design and Construction	The document is not effective and the document is not consistent with national policy.	<p>Thames Water do not object to the Policy in principle, but consider that it should also refer to water conservation.</p> <p>Water conservation and climate change is a vitally important issue to the water industry. Not only is it expected to have an impact on the availability of raw water for treatment but also the demand from customers for potable (drinking) water. Therefore, Thames Water supports water conservation and the efficient use of water and this issue should be specifically covered in the sustainable design and construction/climate change Policy.</p> <p><i>All new dwellings should meet the water usage targets set out in code for sustainable homes code 3 rating as a minimum.</i></p> <p>Changes required to achieve compliance Thames Water supports water conservation and the efficient use of water and this issue should be specifically covered in the sustainable design and construction/climate change Policy.</p>	Core Strategy Policy 10 Managing and Reducing the Risk of Flooding refers to the need to 'conserve water resources by using water saving devices and rainwater harvesting systems.'	No change proposed.

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Thames Water (DMREP18) Attendance – Not required	DMREP18.3	Paragraph 1.7 Flood risk reduction and water management	The document is not effective and the document is not consistent with national policy.	<p>The technical Guidance to the National Planning Policy Framework which retains key elements of PPS25: Development and Flood Risk states that a sequential approach should be used by local planning authorities in areas to be at risk from forms of flooding other than from river and sea which includes "Flooding from Sewers".</p> <p>Any flood risk policy should therefore include reference to sewer flooding and an acceptance that flooding could occur away from the flood plain as a result of development where off site infrastructure is not in place ahead of development.</p> <p>It is vital that sewerage/waste water treatment infrastructure is in place ahead of development if sewer flooding issues are to be avoided. It is also important not to under estimate the time required to deliver necessary infrastructure, for example:</p> <ul style="list-style-type: none"> - local network upgrades take around 18 months - sewage treatment works upgrades can take 3-5 years <p><i>This therefore increases the importance of Thames Water's representations on the omission of water supply and sewerage infrastructure policy.</i></p>	<p>The Council considers that flooding from sewerage is dealt with in a different legislative regime and a policy in a planning document would not therefore be appropriate/ The Flood and Water Management Act 2011</p> <ul style="list-style-type: none"> • gives LPAs responsibility for preparing and putting in place strategies for managing flood risk from groundwater, surface water and ordinary watercourses in their areas <p>Key concepts and definitions (Flood and Water Management Act 2011)</p> <ul style="list-style-type: none"> • Subsection (3) excludes certain forms of flooding from the definition of "flood". Flooding from any part of a sewerage system, unless caused by increases in volume from rainfall (including snow or other precipitation). • Flooding from a sewerage system is covered under section 94(1)(a) of the Water Industry Act 1991. 	No proposed change

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				<p>Changes required to achieve compliance Any flood risk policy should include reference to sewer flooding and an acceptance that flooding could occur away from the flood plain as a result of development where off site infrastructure is not in place ahead of development.</p>	<ul style="list-style-type: none"> • Flooding from a burst water main (as defined in section 219 of the Water Industry Act 1991). • Flooding from a water main is covered by section 37(1) (b) of that Act. 	