



London Borough of Lewisham Local Development Framework

Core Strategy

Development Plan Document (DPD)

Publication Stage Representation Form

Ref:

For official use only

Please return your completed form to the London Borough of Lewisham by 5pm
Tuesday 6th April 2010

- By post to
FREEPOST RRZZ TLHU GKZS
Planning Service
London Borough of Lewisham
5th Floor, Laurence House
1 Catford Road
London SE6 4RU

or

- By e-mail to planning.policy@lewisham.gov.uk

You may also make your representation online without the need to use this form.

- Online at <http://consult.lewisham.gov.uk/portal>

For further information, or to request extra representation forms please phone
020 8314 7400 or e-mail planning.policy@lewisham.gov.uk .

This form has two parts
Part A – Personal Details
Part B – Your representation(s).

Please fill in a separate sheet for each representation you wish to make.

Part A

1. Personal Details*

**If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in 2.*

Title Mr

First Name Hugh

Last Name Cave

Job Title
(where relevant) _____

Organisation
(where relevant) City & Provincial Properties Plc

Address Line 1 _____

Line 2 _____

Line 3 _____

Line 4 _____

Post Code _____

Telephone
Number _____

E-mail Address
(where relevant) _____

2. Agent's Details (if applicable)

Ms

Nia

Griffith

Associate Director

Savills

Lansdowne House

57 Berkeley Square

London

W1J 6ER

020 3320 8278

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Part B – Please use a separate sheet for each representation

Name or Organisation :

3. To which part of the Core Strategy does this representation relate?

Paragraph _____ Policy _____ Proposals Map _____

4. Do you consider the Core Strategy is:

4.(1) Legally compliant Yes No

4.(2) Sound* Yes No

**The considerations in relation to the DPD being 'Sound' are explained in the notes which accompany this form*

*If you have entered **No** to 4.(2), please continue to Q5.
In all other circumstances, please go to Q6.*

5. Do you consider the Core Strategy is **unsound** because it is not:

(1) Justified

(2) Effective

(3) Consistent with national policy

6. Please give details of why you consider the DPD is not legally compliant or is unsound. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the DPD, please also use this box to set out your comments. *(Continue on a separate sheet /expand box if necessary)*

Please see attached supporting documentation.

7. Please set out what change(s) you consider necessary to make the DPD legally compliant or sound, having regard to the test you have identified at 5 above where this relates to soundness. You will need to say why this change will make the DPD legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.
(Continue on a separate sheet /expand box if necessary)

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

- No, I do not wish to participate at the oral examination**
 Yes, I wish to participate at the oral examination

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

Signature: *A Bee*

Date: 06/04/10

Notes to accompany Representation Form for Development Plan Documents

1. Introduction

1.1 The Core Strategy is being published in order for representations to be made prior to submission. The representations will be considered alongside the published Core Strategy when submitted, which will be examined by a Planning Inspector. The Planning and Compulsory Purchase Act 2004 (as amended)¹ (the 2004 Act) states that the purpose of the examination is to consider whether the Core Strategy complies with the legal requirements and is 'sound'.

- If you are seeking to make a representation on the way in which Lewisham has prepared the published Core Strategy, it is likely that your comments or objections will relate to a matter of legal compliance.
- If it is the actual content on which you wish to comment or object it is likely that it will relate to whether the published Core Strategy is justified, effective, or consistent with national policy.

2. Legal Compliance

2.1 The Inspector will first check that the published Core Strategy meets the legal requirements under s20(5)(a) of the 2004 Act before moving on to test for soundness. You should consider the following before making a representation on legal compliance:

- The published Core Strategy should be within Lewisham's current Local Development Scheme (LDS) and the key stages should have been followed. The LDS is effectively a programme of work prepared by Lewisham, setting out the Local Development Documents it proposes to produce over a 3 year period. If the Core Strategy is not in the current LDS it should not have been published for representations. The LDS is available on the Lewisham website².
- The process of community involvement for the Core Strategy should be in general accordance with the Lewisham's Statement of Community Involvement³. The Statement of Community Involvement (SCI) is a document which sets out Lewisham's strategy for involving the community in the preparation and revision of Local Development Framework (including the Core Strategy) and the consideration of planning applications.

¹ View the 2004 Act at:

http://www.opsi.gov.uk/acts/acts2004/ukpga_20040005_en_1

View the amending 2008 Act at: http://www.opsi.gov.uk/acts/acts2008/pdf/ukpga_20080029_en.pdf

² View the Lewisham LDS at:

<http://www.lewisham.gov.uk/Environment/Planning/PlanningPolicy/LocalDevelopmentFramework/LocalDevelopmentScheme.htm>

³ View the Lewisham SCI at:

<http://www.lewisham.gov.uk/Environment/Planning/PlanningPolicy/StatementCommunityInvolvement.htm>

- The published Core Strategy should comply with the Town and Country Planning (Local Development) (England Regulations) 2004 (as amended)⁴. When publishing the Core Strategy Lewisham must also publish the documents prescribed in the regulations, and make them available at their principal offices and their website. Lewisham must also place local advertisements and notify the organisations listed in the regulations, and any persons who have requested to be notified.
- Lewisham is required to provide a Sustainability Appraisal Report when they publish a Core Strategy⁵. This should identify the process by which the Sustainability Appraisal has been carried out, and the baseline information used to inform the process and the outcomes of that process. The Sustainability Appraisal is a tool for appraising policies to ensure they reflect social, environmental, and economic factors.
- The published Core Strategy should have regard to national policy and conform generally to the London Plan⁶. This sets out the policies for London in relation to the development and use of land and forms part of the development plan for Lewisham.
- The published Core Strategy must have regard to Lewisham's Sustainable Community Strategy (SCS)⁷. The SCS was prepared by the Local Strategic Partnership which represents a range of interests in the Lewisham Borough. The SCS was subject to consultation but not to an independent examination.

3. Soundness

3.1 Soundness is explained fully in Planning Policy Statement 12: Local Spatial Planning in paragraphs 4.36 – 4.47, 4.51 and 5.52 and the boxed text⁸. The Inspector has to be satisfied that the published Core Strategy is justified, effective and consistent with national policy. To be sound a published Core Strategy should be:

- Justified
This means that the published Core Strategy should be founded on a robust and credible evidence base involving:
 - Evidence of participation of the local community and others having a stake in the area
 - Research/fact finding: the choices made in the plan are backed up by facts
 The published Core Strategy should also provide the most appropriate strategy when considered against reasonable alternatives. These alternatives

⁴ View the 2004 Regulations at: <http://www.opsi.gov.uk/si/si2004/20042204.htm> View the 2008 amending Regulations at: http://www.opsi.gov.uk/si/si2008/pdf/uksi_20081371_en.pdf View the 2009 amending Regulations at: http://www.opsi.gov.uk/si/si2009/pdf/uksi_20090401_en.pdf

⁵ View the Sustainability Appraisal at: <http://consult.lewisham.gov.uk/portal>

⁶ View the London Plan at: <http://www.london.gov.uk/thelondonplan/>

⁷ View the Lewisham SCS at: <http://www.lewisham.gov.uk/CouncilAndDemocracy/StrategiesPlans/StrategyDocuments/SustainableCommunityStrategy.htm>

⁸ View at <http://www.communities.gov.uk/publications/planningandbuilding/pps12/sp>

should be realistic and subject to sustainability appraisal. The published Core Strategy should show how the policies and proposals help to ensure that the social, environmental, economic and resource use objectives of sustainability will be achieved.

- Effective

This means the published Core Strategy should be deliverable, embracing:

- Sound infrastructure delivery planning
- Having no regulatory or national planning barriers to delivery
- Delivery partners who are signed up to it
- Coherence with the strategies of neighbouring authorities.

The published Core Strategy should also be flexible and able to be monitored.

The published Core Strategy should indicate who is to be responsible for making sure that the policies and proposals happen and when they will happen.

The plan should be flexible to deal with changing circumstances, which may involve minor changes to respond to the outcome of the monitoring process or more significant changes to respond to problems such as lack of funding for major infrastructure proposals. Although it is important that policies are flexible, the published Core Strategy should make clear that major changes may require a formal review including public consultation. Any measures which the Lewisham has included to make sure that targets are met should be clearly linked to an Annual Monitoring Report⁹. This report is produced each year by Lewisham and will show whether the Core Strategy needs amendment.

- Consistent with national policy

The published Core Strategy should be consistent with national policy. Where there is a departure, Lewisham must provide clear and convincing reasoning to justify their approach. Conversely, you may feel that Lewisham should include a policy or policies which would depart from national or regional policy to some degree in order to meet a clearly identified and fully justified local need, but they have not done so. In this instance it will be important for you to say in your representations what the local circumstances are that justify a different policy approach to that in national or regional policy and support your assertion with evidence.

- 3.2 If you think the content of the published Core Strategy is not sound because it does not include a policy where it should do, you should go through the following steps before making representations:

⁹ View Lewisham's Annual Monitoring Reports at:
<http://www.lewisham.gov.uk/Environment/Planning/PlanningPolicy/LocalDevelopmentFramework/AnnualMonitoringLDF.htm>

- Is the issue with which you are concerned already covered specifically by any national planning policy or in the London Plan? If so it does not need to be included.
- Is what you are concerned with covered by any other policies in the published Core Strategy on which you are seeking to make representations or in any other document in the Lewisham's Local Development Framework (LDF). If so, there is no need for repetition between documents in the LDF.
- If the policy is not covered elsewhere, in what way is the published Core Strategy unsound without the policy?
- If the published Core Strategy is unsound without the policy, what should the policy say?

4. General advice

- 4.1 If you wish to make a representation seeking a change to the published Core Strategy you should make clear in what way the published Core Strategy is not sound having regard to the legal compliance check and three tests set out above. You should try to support your representation by evidence showing why the published Core Strategy should be changed. It will be helpful if you also say precisely how you think the published Core Strategy should be changed. Representations should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further submissions based on the original representation made at publication. After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.
- 4.2 Where there are groups who share a common view on how they wish to see the published Core Strategy changed, it would be very helpful for that group to send a single representation which represents the view, rather than for a large number of individuals to send in separate representations which repeat the same points. In such cases the group should indicate how many people it is representing and how the representation has been authorised.
- 4.3 Further detailed guidance on the preparation, publication and examination of Core Strategies is provided in *PPS12* and in *The Plan Making Manual*¹⁰.

¹⁰ View at <http://www.pas.gov.uk/pas/core/page.do?pageId=51391>

6th April 2010

Core Strategy Submission Document Repts Final (2).doc



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Dear Mr Miller,

**LDF Core Strategy Submission / LDF Planning Obligations SPD
Representations on behalf of City and Provincial Plc**

We act on behalf of City and Provincial Plc, who have a controlling interest in the site known in the LDF as Oxestalls Road (The Wharves, Deptford), and we have been instructed to make representations to a number of emerging policies within Core Strategy Proposed Submission Version, and the approach taken within the LDF Planning Obligations Supplementary Planning Document (Draft for Consultation) which relate to The Wharves and surrounding area.

Within these representations we have only commented on policies/objectives or visions which are directly relevant to The Wharves site and its interests or which we consider need to be amended/changed. Where no comment is made it can be assumed that our Client is generally in support although we have not sought to comment on every detailed fact and figure included in the document

Background

The site is an island site bounded by Oxestalls Road, Grove Street, Dragoon Road and Evelyn Street. Two important public spaces namely Deptford Park and Pepys Park lie to the east and west respectively.

The site is currently occupied by a number of low grade industrial uses offering relatively little in terms of quantity/quality of employment or benefits to the surrounding, predominantly residential area. In fact some of the existing uses, such as the scrap yard are a major nuisance to neighbouring residences. The site at present is entirely impermeable to the public.

The regeneration envisaged will be far reaching and achieved through cohesive masterplanned redevelopment. This will be achieved through a 'place making' strategy which will give the area a new identity and enhanced function. To do this it must be realised that "significant investment" will be required along with substantial enabling residential development. The site with enhanced public realm will act as a catalyst for the regeneration of this part of the Borough, which in turn, will bring wider and environmental community benefits. The redevelopment of The Wharves, will result in cutting edge regeneration and creating a new and enhanced sense of place and well being.

A planning application was submitted in December 2009 for the comprehensive redevelopment of the site comprising the demolition of the existing buildings on site, excluding the former Public House on Grove Street and the phased redevelopment to provide a maximum of 905 residential units and 16,393sqm non-residential floorspace comprising (A1, A2, A3, A4, A5, B1, D1, D2 uses), landscaping and amenity/ open space, access and parking (1,127 cycle and 370 vehicular spaces) and associated works.



This application (under application reference DC/09/73189/X) is currently subject to a period of determination with a target date for decision in the near future.

Core Strategy Development Plan Document - Proposed Submission Version (February 2010)

We fully support the Core Strategy approach to the majority of new development taking place to the north of the Borough, recognising the importance of mixed uses for regeneration / provision of housing in the north of Lewisham and the designation of some sites as 'Mixed-Use Employment Locations (MELs).

The Council has undertaken significant research and prepared a range of background documents to support their emerging Core Strategy. In our view this further emphasises the appropriateness of the chosen approach to meet the Borough's housing and employment needs.

The following sections set out our representations on the relevant emerging Core Strategy policies and where, if necessary, certain revisions might be considered.

Strategic Objective 1 – Physical and socio-economic benefits

We concur with the ethos of Core Strategy Objective 1, particularly in relation to regeneration and redevelopment opportunities within Deptford and New Cross which, through the delivery of new homes and jobs, "will be used to secure substantial physical and environmental improvements and socio-economic benefits throughout the area to improve deprivation."

Strategic Objective 2 – Housing provision and distribution

We strongly support Core Strategy Objective 2 which makes provision for the completion of an additional 18,165 net new dwellings from all sources between 2009/10 and 2025/26 to contribute to the Borough's housing needs.

In particular, we endorse emerging Core Strategy Objective 2, which aims to exceed London Plan housing targets for the Borough. We support the housing distribution hierarchy in which the most housing growth is to be focused within the regeneration and growth areas and in particular Deptford and New Cross (10,625 units).

Spatial Policy 1 – Lewisham spatial strategy

We agree with the identified regeneration and growth areas covering the key localities within Lewisham – Catford – Deptford - New Cross/New Cross Gate and support the notion that the majority of the Borough's new housing, retail and employment uses will be focused within the regeneration and growth areas.

Spatial Policy 2 – Regeneration and growth areas

Identification of regeneration and growth areas as prime locations for new development is strongly supported, in particular the vision of growth at Deptford, Deptford Creekside, New Cross/New Cross Gate. We support the identification of four strategic development sites (Convoy's Wharf, Surrey Canal Triangle, Oxestalls Road and Plough Way) to act as a catalyst for regeneration and concur with the Council's view that proposed MEL sites represent "regeneration opportunities". We welcome the proposed change of use and the range of regeneration benefits that this will bring to our Client's site (The Wharves), including it's provision towards the Borough's employment and housing requirements, whilst at the same time, incorporating place making changes that will be of benefit to both the immediate area and the north of the Borough as a whole.

We support the hierarchy and vision for both Spatial Policies 3 and 4 in relation to District and Local Hubs.

2C. Defining mixed use employment locations (MELs)

We support the Council's position that some Strategic Industrial Location (SIL) sites in the Borough could be better utilised and are failing to meet the requirements of a SIL. Despite the GLA's intention to protect industrial land we recognise the importance of rationalising this land in the Borough to meet wider regeneration objectives.

We support the designation of the mixed use employment sites that will benefit the north of the Borough through delivering major regeneration. Furthermore, we fully support the inclusion of Oxestalls Road as one of the proposed MELs.

We encourage the rationalisation of strategic industrial land and the proposal for seven MELs, which includes The Wharves (Oxestalls Road) and concur with the ethos of making optimal use of land in order to achieve the regeneration objectives. We support the opportunities for a potential improvement of the physical environment and therefore, we fully support the principle that the site be redesignated from SIL to a MEL.

In relation to SELCHP we very much welcome the principle of the installation of a district heating pipe and distributing heat from the plant and establishing district heating networks to potentially serve development at the larger MELs to include Surrey Canal Road and Oxestalls Road if viable.

Core Strategy Policy 1 – Housing provision, mix and affordability

We support the promotion of mixed use developments within town centres and specified sites to meet their housing provision targets to deliver the maximum number of dwellings as identified within the Core Strategy.

In relation to affordable housing, we support the proposed policy wording in emerging Core Strategy policy which states a "strategic target for 50% affordable housing from all sources" rather than 50% as a starting point for negotiations on individual sites. It is important to retain the need for a strategic target rather than a specific requirement to ensure viability is not affected and to ensure mixed and balanced communities.

We support the acknowledgement that the affordable housing provision would be "subject to a financial viability assessment."

Larger regeneration schemes (such as The Wharves) carry significant costs associated with 'place making', which must be taken into consideration when assessing affordable housing and viability. Such schemes that require to be developed over a number of years due to phasing and funding needs from RSL's, require a significant degree of flexibility in delivering the affordable housing and tenure mix (further supporting the adoption of a strategic target as previously outlined), whilst at the same time having sufficient certainty in order to deliver the scheme. Availability/level of grant should also be considered.

We support the Council in their assertion that a range of dwelling sizes is necessary to create mixed and balanced communities. However the Preferred Housing Mix (%) at Table 7.1 highlights a preferred housing mix of 85% social rented and 15% intermediate housing. This is inconsistent with the Council's aspirations as outlined at Bullet Point 4, which outlines the preferred affordable housing component in developments to be 70% social rented and 30% intermediate tenure. It is our opinion that in accordance with emerging London Plan that the preferred split should be 60% social rented with 40% intermediate housing provision.

We are of the opinion that preferred housing mixes should not be treated as prescriptive (as we have set out previously), as there is need for flexibility to consider individual site characteristics, local demographics and potential funding from the Housing Corporation, or individual requirements of RSLs.

Core Strategy Policy 4 – Mixed use employment locations

We support the Council's redevelopment vision for Mixed Use Employment Locations, particularly for higher density housing. However we consider that in contributing to a truly sustainable development that alternative appropriate employment generating uses will also contribute. We disagree with the arbitrary 20% figure and

would question how this figure was arrived at. Notwithstanding the above, we disagree with the requirement for solely B use classes to provide the minimum 20% employment generating built floorspace. In order to "make a place", a site and its context needs to be considered as such the proportion of 'employment generating' floorspace to other floorspace, is likely to vary site by site. This requirement should be assessed on a site-by-site basis in the context of the location and surrounding land uses, rather than by prescriptive targets.

Core Strategy Policy 8 – Sustainable design and construction and energy efficiency

We support the Council's option to reduce CO2 emissions and opportunities to improve the energy and sustainability standards for all new developments.

Core Strategy Policy 10 - Managing and reducing the risk of flooding

We note that this policy reflects the advice/approach contained within PPS25. It is our understanding that in identifying the Strategic Site Allocations within Chapter 8 the local planning authority has concluded that sequentially they are most appropriate to deliver the development required/proposed.

Core Strategy Policy 12: Open space and environmental assets

We are in agreement with the Council's aims to preserve and enhance open space within the Borough.

Core Strategy Policy 14 – Sustainable movement and transport

We fully support the Council's work to ensure the delivery of a number of transport infrastructure improvements, particularly for the north of the Borough. This would include the East London Line extension (and additional stations); improvement to the London bus priority network; upgrading of a number of main line stations and increasing capacity.

Core Strategy Policy 15 – High quality design for Lewisham

We acknowledge the importance of high quality design within Lewisham. However whilst we consider London Plan housing densities should be taken into consideration, this 'guidance' should not be prescriptive. Masterplans for the MEL sites should be design led and compatible and complimentary to the local context.

In accordance with Core Strategy Policy 15 which outlines that development within MELs will need to create "new places in areas that currently lack identity" it is considered that this objective will be fully met by The Wharves proposals.

Core Strategy Policy 18 – The location and design of tall buildings

We do not support this policy as it stands. We agree that tall buildings other than in Lewisham and Catford town centres need to be assessed to determine whether their development meets the aims identified for the Core Strategy Spatial Policies and for regeneration benefits. However, we consider that the 'Mixed Use Employment Locations' and Deptford/New Cross should be locations, which in principle, are suitable for tall buildings as part of "signalling a new place" and the on-going regeneration in the north of the Borough. We support the notion that tall buildings should be directed to existing clusters and consider given the resolution to grant for tall buildings at Convoy's Wharf within the proximity to the site and other tall buildings within the sites context, that the Oxestalls Road site is appropriately located for higher building heights.

Notwithstanding this, the draft replacement London Plan (October 2009) supports tall buildings in Opportunity Areas/Areas of Intensification. Given that the Oxestalls Road site lies to the immediate fringe of the emerging Deptford Creek/Greenwich Riverside Opportunity Area as outlined in The London Plan East London Sub-Regional Development Framework (2006) this further supports the appropriateness of tall buildings at our Client's site. The specific suitability of tall buildings would then be subject to detailed assessment in relation to design, strategic views local context and transport infrastructure etc. This precedent has previously been

established by the Convoy's Wharf site, where it was identified in the previous LDF consultation and UDP as site suitable for tall buildings, notwithstanding that the site is not located within close proximity to infrastructure.

Core Strategy Policy 19 - Provision and maintenance of community and recreational facilities

Our Client is in support of the approach set out at Core Strategy policy 19.

Core Strategy Policy 21 – Planning obligations

The preparation of a separate Planning Obligations SPD is supported, particularly to ensure the implementation of the obligations follows the requirements of Circular 05/05. This SPD should be considered as a starting point for major schemes but recognising that in order to 'make a place' a lot of infrastructure and benefits will be designed into the scheme. This needs to be acknowledged.

We also reiterate that larger regeneration schemes require significant investment and viability of the development proposals must be taken into consideration with regard to securing planning obligations. Furthermore, the Council will also need to establish their main priorities when considering planning obligations.

Strategic Site Allocation 1 - Requirements for strategic site allocations

Our Client is fully supportive of the approach and guidance contained within Strategic Site Allocation 1 including the need for a comprehensive masterplan approach from the outset. They also support the relevant issues that a masterplan must consider contained in section 3b. We also welcome the fact that "delivery" is recognised as a key part of the "masterplan process" at section 3c.

Strategic Site Allocation 4 – Oxestalls Road

We strongly support the allocation of Oxestalls Road for mixed use development that provides an appropriate mix of uses with up to 1,150 new homes with a proportion of on site affordable housing.

However, we disagree with the target of at least 20% of the built floorspace to be for B1(c), B2, B8 uses. We consider that in contributing to a truly sustainable development that alternative appropriate employment generating uses should be able to contribute to meeting this 20% requirement. The ethos of the redevelopment plans for Deptford Wharves is to foster a sense of place for future residents and the local community with a critical mass to support employment opportunities and thus reducing the need for car borne travel and thereby improving accessibility.

Whilst we concur with the vision for a sustainable high density residential environment, proposed policy states that this should be at a "density commensurate with the existing or future PTAL rating". We would make comment that whilst the site has a PTAL rating of 2, the PTAL does not truly reflect the accessibility of the site but in any event will increase as a result committed / proposed public transport improvements. Accession modelling was carried out as part of the Transport Assessment for the Planning Application submitted in December 2009, for which the results illustrate that despite the PTAL level of 2 the true accessibility of the site and the ability to travel to areas of employment or to town centres is in fact much higher than would have otherwise been assumed. Furthermore, as highlighted above the intention is to create a new "place" thus reducing the need for existing and future residents to travel.

Summary

We support the strategic allocation of the Oxestalls Road site as Mixed Employment Location and broadly agree with the emerging priorities for the site.

As a final point, we consider it appropriate to emphasise City and Provincial's credentials as a major landowner that can genuinely deliver, in terms of both regeneration and a better community and assist in achieving the visions of emerging Core Strategy policy.

Planning Obligations Supplementary Planning Document - Draft for Consultation February 2010

As with the Core Strategy, we have broadly reviewed this document and consider that overall it will provide greater certainty over likely required contributions related to development proposals. There are however in our Client's view a number of inconsistencies between the Core Strategy and Planning Obligations Document as drafted. We have highlighted these below. We have not however commented on every detailed aspect/formula/figure in the document as they note that it is a consultation draft and will be subject to further refinement.

The guidance sets out the scale of development for which contributions will be sought however, there remains some uncertainty how it will be applied to development other than residential or commercial. Contributions will still be determined on a case by case basis. This will mean for larger mixed use schemes such as the "Strategic Site Allocations", significant uncertainty will remain. This may well however not be avoidable for larger strategic schemes and in most cases the planning obligation supplementary guidance will have to be applied in a pragmatic and flexible way.

Our Client welcomes the fact that the document sets out a priority for contributions with affordable housing, transport/public realm and employment/training considered as high priorities. This guidance and additional certainty will be beneficial to those promoting development schemes. Sufficient flexibility must however remain and reflect the unique circumstances of each development, particularly with "Strategic Site Allocations" which may have for instance particular infrastructural requirements which will need to prevail.

The document places a requirement on applicants to submit a section 106 heads of terms report with a planning application as a validation requirement. There is a lack of clarification however as to the level of detail/information which will be required in such reports. Whilst in most cases it will be possible from the outset to provide "broad heads/issues" which are likely to be covered by a section 106 agreement much of the detail will evolve as a result of the statutory consultation process and third party comment. The priorities may also change as the scheme evolves. Some of these issues could be addressed as part of the pre-application consultation process but it is still likely that there will be significant issues to be resolved including the prioritisation between different competing section 106 requirements. In our Client's view it is vital therefore that the requirement for a heads of terms report to be submitted with a planning application is not unduly onerous or detailed in its requirements.

Turning to more detailed issues, we wish to make the following comments;

Method section (page 46)

The SPD refers to a site by site requirement for 50% affordable housing. The draft Core Strategy refers to 50% as an overall strategic target. These differing requirements need to be aligned to avoid confusion. In line with the adopted London Plan (2008) this should be a strategic target subject to viability and individual site characteristics.

Dwelling size and mix (page 46)

The information contained within this section does not appear to be in accordance with similar information contained in the Core Strategy. Again this inconsistency needs to be addressed.

Design and integration of affordable housing (page 49)

The supplementary guidance requires a specific justification from an applicant as to why pepper potting of market/affordable units within a scheme cannot be achieved. It in itself however recognises that pepper potting is not desirable for management reasons but still seeks further justification from applicants. If the

document is to recognise the limitations of pepper potting it should include other limits such as the need to provide family accommodation, ownership issues etc. In our Client's view however it will be preferable for the document to refer to the aspiration for residential accommodation to the "tenure blind" rather than quote pepper potting which has significant acknowledged draw backs.

Justification for education contribution (page 102)

In our Client's view, the documents approach to this issue needs further consideration. In its current form it is likely to prove unduly onerous and stifle development. By way of example while it attributes higher child yields to affordable accommodation, it does not recognise that many occupants of such accommodation are already residents within the borough relocating. They are not therefore placing any additional demand on the borough's education resources. Therefore if on the one hand the approach is to apply higher child yields a discount must equally be applied where families are simply relocating in the Borough.

We support the provision within the document that states that "contributions towards education will not always be required if the proposed development is within close proximity to a school which is already fully funded by the Building Schools for the Future programme. The Council will reserve judgement on whether contributions will be required in such cases".

The document suggests that where major developments are proposed, resulting in an additional influx in population, the developer maybe required to provide an on-site facility and a contribution per dwelling would usually be waived. Our Client is of the view that an assessment of the existing health facilities within the site environs should be primarily established and the potential for an on-site facility should be based on a particular local need for a specific health facility.

Summary

In conclusion whilst our Client welcomes the production of this supplementary guidance its application must be flexible and pragmatic. This is particularly the case where development values are low and substantial front end investment is required to stimulate regeneration. This is particularly important in locations that have degraded low quality environments which will not be regenerated without comprehensive place making development coming forward. This will not take place if substantial additional "planning obligations" are placed on development, particularly in early phases. The additional risk of developing in these locations also need to be acknowledged when considering the detailed viability aspects of development proposals.

We trust that the foregoing clearly outlines our Client's representations to the Core Strategy Proposed Submission Version and the Draft for Consultation Planning Obligations SPD and we welcome the opportunity to meet with you to discuss the content of this letter in greater detail. In the meantime, we look forward to receiving your acknowledgement that the representations are duly made.

Should you require clarification on any issue, please do not hesitate to contact Nia Griffith or Duncan Parr at the above address.

Yours faithfully

A handwritten signature in dark ink, appearing to be "PT Barr", written over a horizontal line.

Savills Planning and Regeneration

cc Charles Moran, CMA
Hugh Cave, C&P

