

PC/DJB/HG0588

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Planning Policy
London Borough of Lewisham
5th Floor
Laurence House
1 Catford Road
London SE6 4RU

By email: planning@lewisham.gov.uk

Dear Sir

LEWISHAM DEVELOPMENT MANAGEMENT LOCAL PLAN – PROPOSED SUBMISSION CONSULTATION

RESPONSE ON BEHALF OF THE RENEWAL GROUP

We act on behalf of the Renewal Group who, as you are aware, has received outline planning permission for the development of the Surrey Canal Site in South Bermondsey, and also has other land interests in the borough.

Renewal will be seeking to redevelop the site within the life time 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.

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.

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 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 is contrary to London Plan 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.

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 at 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 affordable rents cannot exceed 'target rents' for larger units.

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 the 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 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.

Renewal also raise objections to Policy DM 9 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"*.

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'.

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 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.

We trust that these representations will be duly considered in the on-going preparation of the Council's development plan. We wish to be kept informed of any future consultations on this document.

Yours faithfully

Handwritten signature 'RB' in black ink.

PAULA CARNEY PP
Director

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