



Planning Policy
London Borough of Lewisham
Fifth Floor
Laurence House
1 Catford Road
London
SE6 4RU
By post and email: planning.policy@lewisham.gov.uk
Date 6 April 2010
Our ref 11845/1015343v1
Your ref

Dear Sirs,

**Core Strategy Development Plan Document: Proposed Submission Version
Representations Submitted on Behalf of Reliant Building Contractors Limited**

We write on behalf of our clients, Reliant Building Contractors (Reliant) in respect of the above document (the draft Core Strategy), which is on public consultation until 6 April 2010. Reliant is a national property company developing sites across the UK. Specifically, they own the currently underutilised land located East of New Cross Gate station which forms the main part of Key Development Site (13B) within the adopted Lewisham UDP (LUDP) (which has subsequently been saved by the Secretary of State (27 September 2007)).

On behalf of Reliant, we submit representations in respect of the following policies

- Spatial Policy 2: Regeneration and Growth Areas
- Core Strategy Policy 1: Housing Provision, Mix and Affordability
- Core Strategy Policy 8: Sustainable Design and Construction Energy Efficiency
- Core Strategy Policy 18: The Location and Design of Tall Buildings; and
- Core Strategy Policy 21: Planning Obligations.

Our representations are set out on the attached forms and we trust these will be taken into consideration as the Core Strategy progresses. Please contact me in the meantime if you have any queries in respect of these.

Yours faithfully,

Daniel Lampard
Senior Associate Director



Nathaniel Lichfield
and Partners

Planning Design Economics

Cc: Hisham Shibl, Reliant Building Contractors Limited

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 _____

First Name _____

Last Name _____

Job Title
(where relevant) _____

Organisation
(where relevant) RELIANT BUILDING CONTRACTORS

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Line 2 LONDON

Line 3 _____

Line 4 _____

Post Code NW8 9JT

Telephone
Number _____

E-mail Address
(where relevant) _____

2. Agent's Details (if applicable)

Mr _____

DANIEL

LAMPARD

SENIOR ASSOCIATE DIRECTOR

NATHANIEL LICHFIELD & PARTNERS

14 REGENTS WHARF

ALL SAINTS STREET

LONDON

N1 9RL

020 7837 4477

dlampard@nlplanning.com

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 SP2 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)*

We support the reference within Spatial Policy 2 to the Deptford, Deptford Creekside, New Cross/New Cross Gate area being capable of accommodating substantial residential accommodation, in the period to 2016 and beyond. This recognises the accessibility of New Cross Gate and the provision of further residential development in this location being in accordance with national planning guidance (including PPS3) and the London Plan.

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)

N/A

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.

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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: Daniel Lampard

Date: 6/4/2010

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 _____

First Name _____

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dlampard@nlplanning.com

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 CSP1 _____ 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*

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We have two specific concerns in respect of this policy and as such do not consider the policy in its entirety is sound as elements of it are neither justified, effective or consistent with national planning policy. Specifically, part 3 of the policy refers to the starting point for negotiations being a contribution of 50% affordable housing on qualifying sites across the Borough. This would be subject to a financial viability assessment.

We do not consider this part of the policy adequately reflects both national planning guidance (PPS3 para 29) and London Plan Policy 3A.10 (as well as the Consultation Draft Replacement London Plan which may be further advanced by the time the Core Strategy is adopted). The latter document proposes withdrawing the 50% affordable housing target from the London Plan (replacing it with a requirement to "seek to maximise affordable housing provision" – Policy 3.12). Whilst we recognise that limited weight should be attached to the Consultation Draft at this stage, further weight should be attached as the documents progress accordingly and this element of the policy should be kept under review.

Furthermore, national planning guidance and the London Plan both emphasise the requirement for an assessment of economic viability and the need to encourage, rather than restrain residential development. The current wording of this part of the Core Strategy Policy 1 does not adequately reflect these requirements.

Finally, we also consider the new plan lacks clarity in referring to 50% affordable housing. There is a risk that the delivery of 3 (or more) bedroom affordable housing units (as sought by this draft Policy – Part 5) will be compromised if the calculation of affordable housing provision is considered to relate to unit numbers rather than habitable room numbers. This part of the Policy should be clarified to prevent the delivery of 3 or more bedroom units being jeopardised across the Borough.

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(Continue on a separate sheet /expand box if necessary)

Accordingly, we suggest the following changes to this draft Policy

Para 3 of Core Strategy Policy 1 should be redrafted to state:

"Contributions to affordable housing will be sought on sites capable of providing ten or more dwellings. The starting point for negotiation will be consistent with the London Plan. The affordable housing provision sought on each site will have regard to the viability of delivery and the need to encourage rather than restrain residential development. Where 3 or more bedroom affordable housing units are proposed, the affordable housing will be assessed in terms of habitable rooms rather than unit numbers."

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.

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Signature: Daniel Lampard

Date: 6/4/2010

Part A

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First Name _____

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2. Agent's Details (if applicable)

Mr _____

DANIEL

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NATHANIEL LICHFIELD & PARTNERS

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N1 9RL

020 7837 4477

dlampard@nlppanning.com

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 CSP8 Proposals Map _____

4. Do you consider the Core Strategy is:

4.(1) Legally compliant Yes No

4.(2) Sound* Yes No

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We have concerns about this policy in its current form, and accordingly consider these elements of the Policy are neither justified nor effective.

Specifically, for consistency with the London Plan (Policy 4A.7) part 2 (D) of the draft policy should be amended to refer to meeting at least 20% of total energy demand through onsite renewable energy generation "unless it can be demonstrated that such provision is not feasible."

Part 3 of the policy should be deleted as it is widely accepted that this requirement is most appropriately pursued issues through the Building Regulations process rather than through the Core Strategy Planning policies (See the Inspectors Report to Poole Borough Council following examination of the Core Strategy (28 January 2009) paras 4.58, 4.102 and change 9.0).

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Signature: Daniel Lannell

Date: 6/4/2010

Part A

1. Personal Details*

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First Name _____

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Telephone
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2. Agent's Details (if applicable)

Mr _____

DANIEL

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SENIOR ASSOCIATE DIRECTOR

NATHANIEL LICHFIELD & PARTNERS

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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 CSP18 Proposals Map _____

4. Do you consider the Core Strategy is:

- 4.(1) Legally compliant Yes No
4.(2) Sound* Yes No

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Para 1 of this Policy should be amended to included reference to New Cross/New Cross Gate as forming appropriate locations for tall buildings reflecting the fact that this area forms an accessible location appropriate for higher density development. This is recognised within draft Core Strategy Policy 15 which states, in the Deptford and New Cross area that, "tall buildings may be appropriate in certain locations" - therefore Policy CSP18 should be amended to ensure internal consistency.

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Signature: Daniel Lamynd

Date: 6/4/2010

Part A

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2. Agent's Details (if applicable)

Mr _____

DANIEL

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dlampard@nlplanning.com

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 CSP21 Proposals Map _____

4. Do you consider the Core Strategy is:

4.(1) Legally compliant Yes No

4.(2) Sound* Yes No

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Reliant have recently submitted representations to the draft SPD on planning obligations, citing their specific concerns. The draft SPD is flawed and not in accordance with Circular 05/05. Accordingly, for the avoidance of doubt we suggest amending Part 2 of this policy to state the Council will only seek planning obligations where they accord with all of the tests of Circular 05/05.

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)

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Signature: Daniel Lamm

Date: 6/4/2010