

Lewisham Local Plan: Statement of Common Ground between London Borough of Lewisham and The Environment Agency

Submission Stage (Regulation 22)

September 2023

1 Introduction

- 1.1 This is a Statement of Common Ground (SoCG) that sets out details of the joint working and cooperation that has taken place, and the future cooperation that is required, between Lewisham Council and the Environment Agency throughout the preparation of the Borough's new Local Plan.
- 1.2 To date, Lewisham Council has consulted on:
 - the preferred options of the Local Plan through the Regulation 18 consultation during January and April 2021, and
 - the publication draft of the Local Plan through the Regulation 19 consultation during March and April 2023.
- 1.3 At each stage of the plan making process Lewisham Council has prepared a range of evidence base documents and published them on Lewisham Council's website. These have informed the policies within the new Local Plan. Lewisham Council intends to submit the new Local Plan to the Secretary of State and the Planning Inspectorate in late 2023.

2 Relevant Bodies and Strategic Geography

- 2.1 The two relevant parties for the purpose of this SoCG are Lewisham Council and The Environment Agency.
- 2.2 Lewisham Council and the Environment Agency are experienced in partnership working to deliver river restoration and improved environment across the Borough and along the river corridors.
Lewisham
- 2.3 Located in South-East London, Lewisham is an inner London Borough. It is bordered by Boroughs of Bromley, Greenwich and Southwark and the River Thames.
- 2.4 Lewisham is well-served by parks, open spaces (including waterways) and nature sites. Green spaces cover roughly one-fifth of the Borough. It ranked first amongst all London Boroughs in the recent Good Parks for London report. However, there are areas within the Borough that are deficient in public access to open space and nature. There are opportunities to improve the quality of open spaces and nature sites along with the connections between them.
- 2.5 Securing a framework to manage the impacts of climate change is a key objective of plan-making. Within this context, the Borough's neighbourhoods and communities must be made more resilient to the possibility of increased heat and flood risk. The Borough's location alongside the

River Thames and within the Ravensbourne catchment places residents and properties at potential risk of flooding. Additionally, large parts of the Borough are at possible risk to surface water flooding owing to their heavily urbanised nature.

- 2.6 Air quality is a significant public health issue across London. There are six Air Quality Management Areas in Lewisham, including two major areas, which have been declared for several pollutants. The highest concentrations of nitrogen/nitric oxides (NO_x), NO₂ and Particulate Matter (PM), which currently exceed legal limits, are found on the busiest main roads. London's Ultra Low Emission Zone (ULEZ) was recently extended to cover parts of Lewisham, up to the South Circular (A205 road).



Environment Agency

- 2.7 The Environment Agency is an executive, non-departmental public body, sponsored by the Department for Environment, Food and Rural Affairs with the stated purpose “to protect or enhance the environment, taken as a whole”. Within England it is responsible for:
- regulating major industry and waste;
 - treatment of contaminated land;
 - water quality and resources;
 - fisheries;
 - some inland river, estuary and harbour navigations;
 - conservation and ecology; and
 - managing the risk of flooding from main rivers, reservoirs, estuaries and the sea.

3 Key Strategic Matters

- 3.1 Lewisham's new Local Plan seeks to address several key strategic matters. Each strategic matter is considered in turn and identifies where there are specific areas of joint working or cooperation. Lewisham Council and the Environment Agency (the parties) agree to work together through several actions, which are detailed as records of agreement. Where relevant, this SoCG also highlights where agreement on key strategic matters have not yet been reached.
- 3.2 Both parties will continue to communicate in a collaborative manner and engage with each other through 1-2-1 meetings, informal telephone and email correspondence and statutory consultation exercises.

3.3 The Environment Agency’s representations on the Regulation 19 consultation broadly support the new Local Plan but also make several suggestions to amend the Local Plan. Their main points, and the Council’s response to them, are set out in the table below.

Key points raised in relation to strategic matters in Environment Agency’s Regulation 19 representation	LB Lewisham response
<p>The new Local Plan sets clear goals on continuing to deliver an improved environment and managing flood risk and environmental protection across the borough. We can see how our previous comments and feedback have been taken on board and have helped to inform the new Local Plan. We feel the new Local Plan is sound, legally compliant and has been produced in line with the Duty to Co-operate.</p> <p>Lewisham is a unique urban environment with extremes ranging from restored and highly valued rivers and parks to poor quality heavily urbanised and culverted rivers. We are keen to continue to work in partnership with you to ensure all new development maximises opportunities to “make space” for water and deliver environmental improvements for people and wildlife.</p> <p>We support the following Local Plan strategic objectives and are keen to work with you to deliver these through ongoing partnership working and a positive planning service and early pre application engagement.</p> <p>D - A greener borough E - Responding to the climate emergency G - Healthy and safe communities H - Securing timely delivery of infrastructure</p>	<p>The Council thanks the Environment Agency for their continued partnership involvement in the on-going plan-making process. The Council notes and welcomes the Environment Agency’s support for the new Local Plan’s Spatial Strategy Policy OL1 and planning policies.</p> <p>The Council welcomes the continued partnership relationship with the Environment Agency in respect of meeting shared plan-making and decision-taking responsibilities.</p>
<p>Since the previous Local Plan consultation, the new national Environmental Improvement Plan 2023 has been published which builds on the Government’s 25-year Environment Plan. We recommend adding this plan to the evidence base / sustainability appraisal as the new plan to protect and enhance the environment and deliver the Environment Act 2021.</p>	<p>Action: Ensure that the new Local Plan’s supporting evidence is maintained and kept up to date.</p>
<p>We welcome and support new policies SD1 – SD13 which aim to deliver sustainable growth and deliver environmental protection and enhancement.</p>	<p>The Council notes and welcomes the Environment Agency’s support for the new Local Plan’s Sustainable Design and infrastructure policies.</p>

3.4 **Record of Agreement:**

A1) Both parties will continue to work together positively to deliver sustainable growth and environmental protection in Lewisham.

4 Green Infrastructure

- 4.1 There are a range of designations at the international and national level that protect biodiversity, geodiversity, and valued landscapes such as AONBs, Green Belts, National Parks, Heritage Coast, SPAs, SACs, Ramsar sites, SSSI and NNRs. Whilst Lewisham has a rich and varied natural environment, there are no national designations within the Borough.
- 4.2 At the regional level, the London Plan seeks to protect and enhance London’s network of green and open spaces, including Metropolitan Open Land (MOL) and Sites of Importance for Nature Conservation (SINCs).
- 4.3 To support the preparation of the new Local Plan, Lewisham Council has prepared and published studies on green infrastructure, including Open Spaces Assessment (2020) and Review (2022) and Sites of Importance for Nature Conservation Report (2016).
- 4.4 The Open Space Assessment (2020) assessed the condition of parks and open spaces across the borough, informing the management, protection and enhancement of open spaces and ensuring that future needs for all types of open space are accounted and met.
- 4.5 The Sites of Importance for Nature Conservation Report (2016) provided a robust framework for emerging biodiversity policies in the new Local Plan. A second SINC study for Hither Green and Grove Park (2023) was also prepared and published to support six Biodiversity Action Plan Priority Habitats.
- 4.6 The new Local Plan recognises connectivity with neighbouring Boroughs and encourages walking networks by providing footways, routes and public realm that enable access through development sites and adjoining areas. It also seeks to enhance strategic networks such as the South-East London Green Chain walking route and supporting existing green links across the borough and sub-regionally.
- 4.7 The Council has consulted and engaged with Natural England and Environment Agency from the early stages of the Local Plan including on the Integrated Impact Assessment, which incorporates Strategic Environmental Assessment / Sustainability Appraisal. Representations from the Environment Agency on the Regulation 18 draft Local Plan provided that the plan could be strengthened by aligning more closely with the Environment Act 2021 and its provisions on Biodiversity Net Gain and Local Nature Recovery Networks. New policy GR3 acknowledges that the Council will prepare a Local Nature Recovery Strategy (LNRS) as part of a strategic approach to nature conservation and seeks to secure Biodiversity Net Gain within the Borough.

Key points raised in relation to green infrastructure in Environment Agency Regulation 19 representation	LB Lewisham response
<p>We welcome the monitoring proposed to monitor green infrastructure improvements, environmental quality and pollution incidents across the borough to ensure new development is delivering environmental improvements and identify actions / measures if environmental quality is not improving.</p> <p>We welcome and support the new policies GR1-GR7 which aim to deliver sustainable growth and deliver environmental protection and enhancement.</p>	<p>The Council notes and welcomes the Environment Agency’s support for the new Local Plan’s Green Infrastructure policies.</p>

- 4.8 **Green Infrastructure record of agreement:**
- B1) Both parties will continue working together to improve green infrastructure across the borough including green grid links.**
- B2) Both parties will seek to maximise the opportunities arising from Biodiversity Net Gain.**

5 Water Infrastructure

- 5.1 The water environment is a defining feature of Lewisham. The Borough fronts onto the River Thames, which poses a potential risk of flooding, although the adjacent land area benefits from the River Thames Tidal Defences. Lewisham also falls within most of the catchment of the River Ravensbourne and its tributaries, including the Quaggy, the Pool and Kyd Brook, which outfalls into the River Thames at Deptford Creek. The Honor Oak Stream (Chudleigh Ditch), another tributary of the Ravensbourne, also passes through the Borough. Elsewhere there are local areas that are at potential risk from other sources of flooding including through surface water run-off, ground water flooding, surcharge from the sewer network and the blockage of culverts and gullies.
- 5.2 The NPPF sets out the framework to ensure that flood risk management is appropriately addressed through the plan-making and development management process.
- 5.3 At the regional level, the London Plan acknowledges the multi-functional benefits of waterways and directs boroughs to plan positively for them through local plans. It also recognises the strategic importance of London's network of linked waterways, seeks to protect water infrastructure including wharves and implements a Thames Policy Area within the vicinity of the River Thames.
- 5.4 To support the preparation of the new Local Plan, Lewisham Council prepared and published the Deptford Creekside Supplementary Planning Document (2012). It seeks to manage change, preserve, and enhance the area's character as defined in the Deptford Creekside Conservation Area Appraisal (2012) by promoting high quality design solutions that respond sensitively to the historic environment.
- 5.5 The new Local Plan promotes public realm enhancements and new pedestrian links along Deptford Creekside and seeks to maximise the multifunctional social, economic, and environmental functions and benefits of the watercourses.
- 5.6 Lewisham Council worked in partnership with the Environment Agency, to prepare and publish the River Corridors Improvement Plan SPD (2015). This provides detailed planning policy guidance for developments located along the rivers that flow through the Borough including the River Thames, Deptford Creek, River Ravensbourne, Pool River, River Quaggy and Kyd Brook.
- 5.7 Lewisham Council recognises the need to ensure that the Thames Path joins up with its neighbouring Boroughs and to address this the new Local Plan promotes river-front restoration and increased access and permeability through new development sites in the north of the Borough.
- 5.8 The Council has undertaken a Strategic Housing Land Availability Assessment (SHLAA) to inform the preparation of the new Local Plan, including the spatial strategy and corresponding site allocation policies. It is acknowledged that a number of sites that are available for redevelopment fall within Flood Risk Zones. The Council has also completed a Strategic Flood Risk Assessment (SFRA) and carried out Flood Risk Sequential and Exception Tests, in line with national planning policy and guidance. The Council has engaged with Environment Agency and other bodies, including Thames Water Utilities Limited, on the preparation of SFRA with officers of these bodies sitting on the project Steering Group. The Council has also previously worked with these bodies on the preparation of its River Corridors Improvement SPD.

Key points raised in relation to water infrastructure in Environment Agency’s Regulation 19 representation	LB Lewisham response
We recommend adding the new Plan for Water: our integrated plan for delivering clean and plentiful water to the evidence base which has been launched recently and aims to deliver an integrated approach for clean and plentiful water.	Action: As suggested by the Environment Agency ensure that the <i>Plan for Water: our integrated plan for delivering clean and plentiful water</i> is included as part of the new Local Plan’s supporting evidence base.
We recommend the evidence base and is kept up to date for example the Strategic Flood Risk Assessment (SFRA) should be regularly reviewed when new climate change allowances are issued, new flood models and updated flood maps, new groundwater maps and water quality information is released. We are keen to share environmental evidence and data to inform Local Plan policies and planning decisions and data is available to download using this link Defra Data Services Platform.	Action: Ensure that the new Local Plan’s supporting evidence is maintained and kept up to date.

5.9 **Water Infrastructure record of agreement:**

C1) The Council will liaise with Environment Agency on the Sequential and Exception Tests and other evidence base documents, as and when they need reviewing.

C2) Both parties will share evidence related to water infrastructure, as and when new data arises.

C3) Both parties will continue working collaboratively to improve water infrastructure across the borough and implement policies in relation to the London Plan Thames Policy Area.

6 Waste Management

6.1 At the regional level, the London Plan provides the strategic approach that will allow London to achieve net waste self-sufficiency. It requires London Boroughs to demonstrate that they have made sufficient provision of land and facilities for waste management. Each borough is allocated an “apportionment” of household, commercial and industrial waste to manage. An All-London Boroughs Waste Planning Group meets quarterly to discuss strategic matters relating to waste across London.

6.2 Lewisham Council also participates in the London Waste Planning Forum (LWPF). The LWPF is a forum for local authorities and organisations focussed on planning for waste in London. For the local authorities, this is waste planning under their statutory responsibilities as planning authorities. This is distinct from their separate responsibilities for household waste collection and disposal. Waste planning authorities in London and across the wider Southeast, the Environment Agency, and Greater London Authority, London Waste and Recycling Board, London Councils and other London organisations dealing with waste are members. The Forum provides a framework to support and coordinate waste planning in London. The Forum enables authorities to engage and cooperate on strategic waste matters that cross administrative boundaries.

6.3 At the sub-regional level, Lewisham Council and the London Boroughs in the South-East London Joint Waste Planning Group (SELJWG) work in partnership to ensure sufficient strategic operational waste management facilities and suitable waste management sites are identified within Local Plans. Collectively they meet the London Plan waste capacity apportionment requirements for the sub-region. This equates to 1,593,000 tonnes per annum in 2021 and 1,692,000 tonnes per annum in 2041. To demonstrate effective collaboration, the SELJWG

produces the South-East London Joint Waste Technical Paper, which provides further details and concludes that the Boroughs in the South-East London Joint Waste Planning Group collectively have a surplus in capacity in both 2021 and 2041.

6.4 The Greater London Authority and Environment Agency representations on the Regulation 18 draft Local Plan acknowledged the approach to waste management and the safeguarding of selected sites within Lewisham. They also signposted that there are additional sites with Environment Agency permits for waste management in Lewisham which should be recognised and safeguarded in the plan, in accordance with the London Plan.

6.5 To support the preparation of the new Local Plan, three waste management sites have been safeguarded within the new Local Plan and are identified as being located within the Strategic Industrial Location at Surrey Canal Road.

6.6 **Waste Management record of agreement:**


D1) Both parties will continue engaging and working collaboratively through the London Waste Planning Forum, to identify and address strategic waste management issues.

7 Governance agreements

- 7.1 SoCG need to be prepared and then maintained on an ongoing basis; and be made publicly available to allow transparency. This SoCG is a live document, to be reviewed and updated regularly so that it reflects the most up-to-date position in terms of joint working, especially:
- Whenever agreements on outstanding matters have been reached and where progress in addressing strategic cross boundary matters is achieved, or
 - At each subsequent key stage of the plan making process, as it progresses towards adoption.

8 Signatories

- 8.1 The signatories below confirm that this is an accurate record of the strategic matters requiring cooperation between the two parties. When signing this SoCG:
- The Planning Policy Manager (or equivalent) is the lead Officer responsible for managing the SoCG,
 - The Head / Director of Planning (or equivalent) is responsible for signing off the SoCG.

Organisation	Name	Position	Signature	Date
London Borough of Lewisham	Nick Fenwick	Director of Planning		11/10/2023
The Environment Agency	James Togher	Sustainable Places Team Leader – South London	J Togher	18 September 2023