

Local Plan Consultation on Proposed Main Modifications

Copy of Representations Received

Following the publication of the Inspectors' Post-Hearing Letter (8 November 2024) the Council facilitated a public consultation on the Inspectors' proposed Main Modifications for their benefit. This was open from Thursday 13 February 2025 until Wednesday 26 March 2025. The consultation provided those with an interest in the new Local Plan to comment on the Inspectors' proposed Main Modifications. The consultation also provided an opportunity for comments on the additional modifications and changes to the Policy Map being proposed by the Council.

Comments submitted to the consultation have been passed onto the Inspectors for their consideration. The Council has prepared comments on the submitted responses. These have also been passed onto the Inspectors. It is anticipated that these will inform the preparation and publication of the Inspectors' final report on the new Local Plan.



AA Homes & Housing Ltd

Company registered address at

Coombe Farm, Oaks Road

Croydon CR0 5HL

T: 0208 686 7700,

W: aahomesandhousing.com

E: [REDACTED]

Representations on Lewisham Local Plan Modification MM120

Modification MM120 proposes to de-designate two parcels of Metropolitan Open Land following post-hearing Action Point AP106.

AA Homes and Housing made representations on the proposal to include land bounded by Courtra Road, Eddystone Road, the rear boundaries of properties in Buckthorne Road and the New Cross to Forest Hill railway cutting in Crofton Park as Metropolitan Open Land. The representation is included on pages 650-654 of the document Lewisham Local Plan Regulation 19 Consultation: Landowner Representations. The representation was heard during the Hearing Session on Matter 13 Green Infrastructure on Thursday 27 June 2024 AM.

The thrust of AAHomes and Housing's representation was that the proposed designation was unsound because it was based on the recommendations of a report by Arup, the LBL Metropolitan Open Land Review Additional Sites Report dated 9.12.21 which itself acknowledges that "the assessment is based on aerial photography and limited views from the public highway" and makes recommendations for further surveys to provide the evidence needed to justify the proposal. In contrast, AA Homes and Housing provided evidence that at least part of the area proposed for designation was brownfield land and so inconsistent with an MOL designation and that the remainder did not have the qualifications for designation as MOL set out in policy G3(B) of the London Plan 2021.

The outcome of the Hearing Session was Action Point 105; "The Council will provide the Inspectors with further factual/technical information in relation to the AA Homes land. This will clarify the position of its designated greenspace / SINC status."

The Council responded to this Action Point by publishing on the examination website on 7 September 2024, the following document; "Response to Actions Matter 13: Green Infrastructure (Policies GR1-GR7)", pages pages 1-3 of which claim to be a response to Action point 105 arising from the hearing session on 27 June 2024. The response simply confirms that the proposed designation as MOL is based on the Arup report whose inadequacy was criticised in AAHomes and

AA HOMES AND HOUSING LTD

[REDACTED]
REGISTERED IN ENGLAND AND WALES

Housing's original representation; it does not in fact address the requirements of examination action point 105 which was intended to seek redress of the Arup report's inadequacies.

The circularity of this argument confirms that the designation as MOL of the land at Courtrai Road owned by AA Homes and Housing is unsound because inadequately justified and that Modification MM120 is itself unsound because it fails to dedesignate all the parcels of land which should be dedesignated as MOL.

We request contact to be made to legals@aahomesandhousing.com for any response.

[REDACTED]

From: [REDACTED]
Sent: 23 February 2025 07:29
To: LocalPlan
Subject: [REDACTED] - Ravensbourne Retail Park

Follow Up Flag: Follow up
Flag Status: Completed

To whom it may concern,

I am a resident of [REDACTED], which sits [REDACTED] the north aspect of the Ravensbourne retail park off Bromley Road, which is currently a part of the local plan for residential redevelopment.

At an online local plan meeting last year a number of residents of [REDACTED] requested further information on building heights and to view the right to light survey the council had conducted. Obviously we have enjoyed direct sunlight for not our home for more than 20 years, as per the regulation as I understand the means we have some protections with regards to the erection of tall building close to our homes.

Since that meeting we have received no correspondence or contact. Therefore I am again requesting further information on how this development will impact our "right to light" and to request results of any surveys that have been carried out in this regard.

Kind Regards

[REDACTED]
[REDACTED]
[REDACTED]

Consultation on the Proposed Modifications in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 Regulation 24 – Standard Response Template

This form has two parts

Part A – Personal details to be completed once

Part B – Your response(s) to the Proposed Main Modifications.

Part C – Your response(s) to the Proposed Additional Modifications and/ or Proposed Changes to the Submitted Proposals Map

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

Part A – Personal Details

All representations will be made public along with the name of the person making the submission, all other personal information will be kept confidential. Following the conclusion of the Consultation, all responses that relate to the Proposed Main Modifications will be passed to the appointed Independent Inspectors for their consideration.

Title

First Name

Last Name

Job Title

Organisation

Address

Post code

E-mail Address

Telephone number

Part B (Use a separate sheet for each response)

Please note: Those responding to the consultation may only comment on the soundness of the proposed Main Modifications. There is no opportunity to comment on other aspects of the new Local Plan that do not correspond with a proposed Main Modification.

Reference:

MM

Comment: Why is the Main Modification unsound?

Part C (Use a separate sheet for each response)

Please note: the Council is also inviting comments on the Lewisham Local Plan Additional Modifications Schedule (January 2025) and the Lewisham Local Plan Changes to the Submitted Policies Map (January 2025). These are outside the scope of the Examination. The Council will consider responses relating to these two documents and will be responsible and accountable for making these Additional Modification, or Proposed Changes to the Submitted Policies Map upon adoption of the Plan.

Reference:

AM/ PCSPM

Comment:

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First Name

Last Name

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Address

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Comment: Why is the Main Modification unsound?

Part C (Use a separate sheet for each response)

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Reference:

AM/ PCSPM

Comment:

Our Ref: 105181-024
11 March 2025

London Borough of Lewisham
localplan@lewisham.gov.uk
via email only

Fisher German LLP
The Estates Office
Norman Court
Ashby de la Zouch
LE65 2UZ

t. 01530 412821
fishergerman.co.uk

Dear Sir /Madam,

Main Modifications - New Local Plan: February – March 2025 **Representations on behalf of National Grid Electricity Transmission (NGET)**

National Grid Electricity Transmission (NGET) has appointed Fisher German LLP to review and respond to local planning authority Development Plan Document consultations on its behalf. We are instructed by our client to submit the following representation with regard to the current consultation on the above document.

About National Grid Electricity Transmission (NGET)

National Grid Electricity Transmission plc (NGET) owns and maintains the electricity transmission system in England and Wales. NGET manage not only today's highly complex network but also to enable the electricity system of tomorrow. Their work involves building and maintaining the electricity transmission network – safely, reliably and efficiently. NGET connect sources of electricity generation to the network and transport it onwards to the distribution system so it can reach homes and businesses.

National Grid Electricity Distribution (NGED) are the electricity distribution division of National Grid, and are separate from National Grid Electricity Transmission's core regulated businesses. Please also consult with NGED separately from NGET.

National Grid no longer owns or operates the high-pressure gas transmission system across the UK. This is the responsibility of National Gas Transmission, which is a separate entity and must be consulted independently.

National Grid Ventures (NGV) develop, operate and invest in energy projects, technologies, and partnerships to help accelerate the development of a clean energy future for consumers across the UK, Europe and the United States. NGV is separate from National Grid's core regulated businesses. Please also consult with NGV separately from NGET.

National Energy System Operator (NESO) has taken over the electricity and gas network planning responsibility from National Grid Electricity System Operator Limited (NGESO) as of 1st October 2024. Please also consult with NESO separately from NGET.

NGET assets within the Plan area

Following a review of the above Development Plan Document, we have identified one or more NGET assets within the Plan area. Details of NGET assets are provided below.

Asset Description
CABLE SECT 138-177 Cable route: HURST - NEW CROSS 1
CABLE SECT 133-176 Cable route: HURST - NEW CROSS
Electrical Substation: WINN RD
Electrical Substation: COLD BLOW LANE

BR1702 66KV CABLE: NEW CROSS 66KV S/S
BR1704 66KV CABLE: NEW CROSS 66KV S/S
3386 & 3387 DEPTFORD BR
Tunnel - NEW CROSS - ELTHAM

A plan showing details and locations of NGET's assets is attached to this letter. Please note that this plan is illustrative only. NGET also provides information in relation to its assets at the website below.
<https://www.nationalgrid.com/electricity-transmission/network-and-infrastructure/network-route-maps>

New Infrastructure

Currently there are no known new infrastructure interactions within the area, however demand for electricity is expected to rise as the way NGET power our homes, businesses and transport changes. As the nation moves towards net zero, the fossil fuels that once powered the economy will be replaced with sources of low-carbon electricity, such as offshore wind farms.

The UK Government has committed to reach net zero emissions by 2050. This means achieving a balance between the greenhouse gases put into the atmosphere and those taken out. Decarbonising the energy system is vital to this aim.

NGET's infrastructure projects in England and Wales will support the country's energy transition and make sure the grid is ready to connect to more and more sources of low carbon electricity generated in Britain.

The way NGET generate electricity in the UK is changing rapidly, and NGET are transitioning to cheaper, cleaner and more secure forms of renewable energy such as new offshore windfarms. NGET need to make changes to the network of overhead lines, pylons, cables and other infrastructure that transports electricity around the country, so that everyone has access to clean electricity from these new renewable sources. These changes include a need to increase the capability of the electricity transmission system between the North and the Midlands, and between the Midlands and the South. It is also needed to facilitate the connection of proposed new offshore wind, and subsea connections between England and Scotland, and between the UK and other countries across the North Sea.

Accordingly, we request that the Council is cognisant of the above.

Further Advice

NGET is happy to provide advice and guidance to the Council concerning their networks. Please see attached information outlining further guidance on development close to National Grid assets.

If we can be of any assistance to you in providing informal comments in confidence during your policy development, please do not hesitate to contact us.

To help ensure the continued safe operation of existing sites and equipment and to facilitate future infrastructure investment, NGET wishes to be involved in the preparation, alteration and review of plans and strategies which may affect their assets. Please remember to consult NGET on any Development Plan Document (DPD) or site-specific proposals that could affect our assets.

We would be grateful if you could add our details shown below to your consultation database, if not already included:

Angela Brooks MRTPI, Partner

ngplanning@fishergerman.co.uk

Fisher German LLP
The Estates Office
Norman Court
Ashby de la Zouch
LE65 2UZ

Tiffany Bates, Development Liaison Officer

box.landandacquisitions@nationalgrid.com

National Grid Electricity Transmission
National Grid House
Warwick Technology Park
Gallows Hill
Warwick
CV34 6DA

If you require any further information in respect of this letter, then please contact us.

Yours faithfully,



Angela Brooks MRTPI
Partner

For and on behalf of Fisher German LLP

Further Guidance

NGET is able to provide advice and guidance to the Council concerning their networks and encourages high quality and well-planned development in the vicinity of its assets.

Developers of sites crossed or in close proximity to NGET assets should be aware that it is NGET policy to retain existing overhead lines in-situ, though it recognises that there may be exceptional circumstances that would justify the request where, for example, the proposal is of regional or national importance.

NGET's 'Design guidelines for development near pylons and high voltage overhead power lines' promote the successful development of sites crossed by existing overhead lines and the creation of well-designed places. The guidelines demonstrate that a creative design approach can minimise the impact of overhead lines whilst promoting a quality environment. The guidelines can be downloaded here: <https://www.nationalgrid.com/electricity-transmission/document/145326/download>

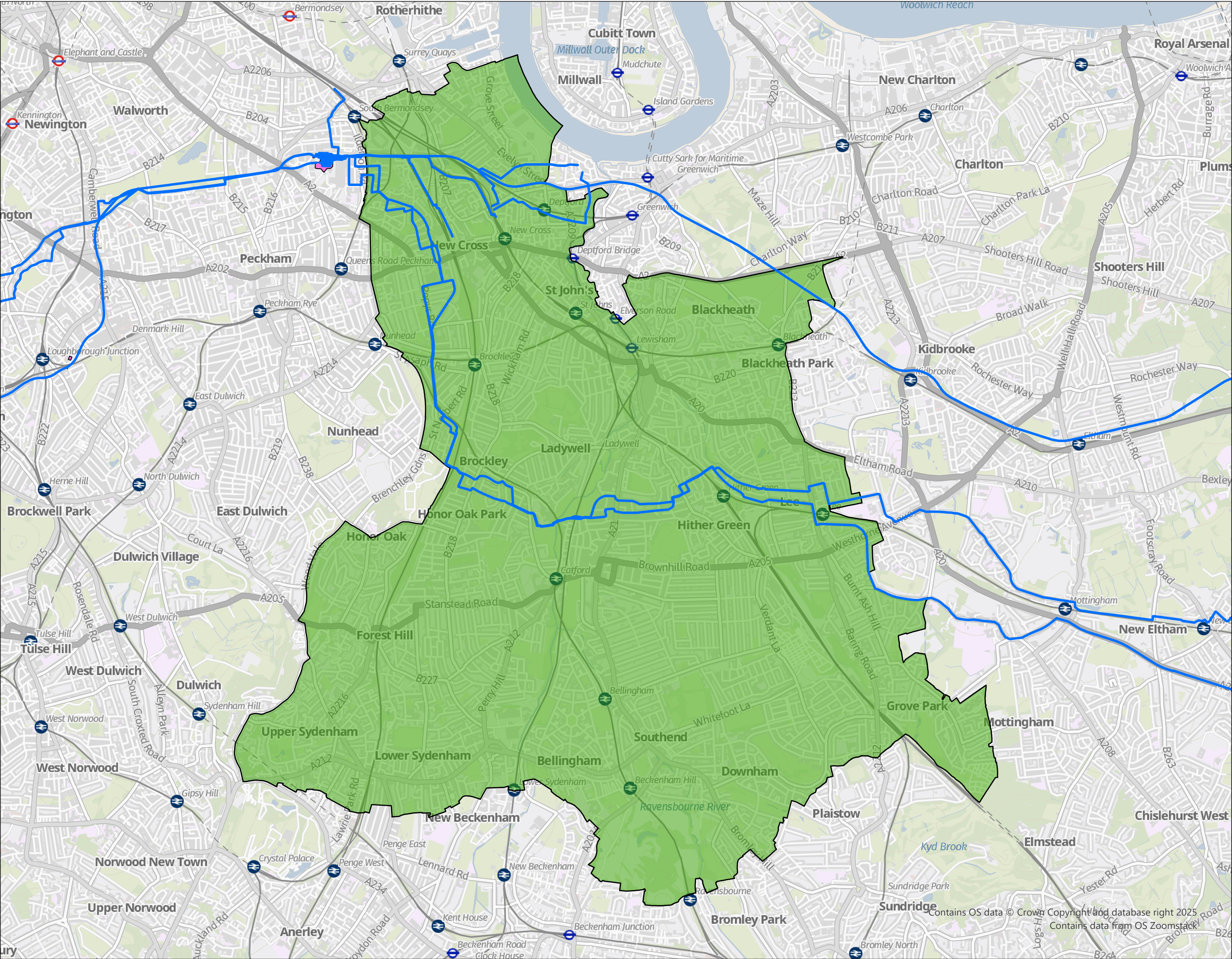
The statutory safety clearances between overhead lines, the ground, and built structures must not be infringed. Where changes are proposed to ground levels beneath an existing line then it is important that changes in ground levels do not result in safety clearances being infringed. National Grid can, on request, provide to developers detailed line profile drawings that detail the height of conductors, above ordnance datum, at a specific site.

NGET's statutory safety clearances are detailed in their Technical Guidance Note 'Third-party guidance for working near National Grid Electricity Transmission equipment', which can be downloaded here: <https://www.nationalgrid.com/electricity-transmission/document/149291/download>

How to contact NGET

If you require any further information in relation to the above and/or if you would like to check if NGET's transmission networks may be affected by a proposed development, please visit the website: <https://lsbud.co.uk/>

For local planning policy queries, please contact: ngplanning@fishergerman.co.uk



OVERVIEW WINDOW

LEGEND:

- Cable
- OHL
- Substation
- LPA Area

REVISION: A

CLIENT: **nationalgrid**

SCHEME: PLANNING INTERACTION

TITLE: LPA ASSET INTERACTION

FP: 105181-024

SCALE: 1:36,000 @ A3

DATE: 05/03/2025

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FISHER GERMAN
The Estates Office, Norman Court
Ashby de la Zouch,
Leicestershire, LE65 2UZ
01530 412821
fishergerman.co.uk

DRAWING REF:
NG-2025-03-MT-OP-LPA- Lewisham

GREATER LONDON AUTHORITY

[REDACTED]
Head of Strategic Planning
Planning Service
Laurence House
1 Catford Road
SE6 4RU
By email: [REDACTED]
[REDACTED]
[REDACTED]

Department: Planning
Reference: LDF23/LDD01/LP03/EX02/ES01
Date: 25 March 2025

Dear [REDACTED]

**Planning and Compulsory Purchase Act 2004 (as amended);
Greater London Authority Acts 1999 and 2007; Town and Country Planning (Local
Development) (England) Regulations 2012**

Re: Local Plan Main Modifications consultation

Thank you for consulting the Mayor of London on the London Borough of Lewisham (LBL) Local Plan Main Modifications consultation. As you are aware, all Development Plan Documents in London must be in general conformity with the London Plan under section 24 (1)(b) of the Planning and Compulsory Purchase Act 2004. The Mayor has afforded me delegated authority to make detailed comments which are set out below. Transport for London (TfL) have also provided comments, which I endorse, and which are attached at Annex 1.

The Mayor provided comments on the earlier Regulation 19 consultation on the LBL draft Local Plan (2020 to 2040) on (Ref:LDF23/LDD09/LPO2/HA01). The Mayor also provided a hearing statement as a part of the Local Plan Examination Hearings on 15 May 2024. This letter follows on from that earlier advice and sets out where you should make further amendments so that the draft Plan is more closely aligned with the London Plan 2021 (LP2021). These comments should be read alongside the Mayor's previous responses and the Statement of Common Ground (SoCG) that was updated and agreed between the GLA and LBL officers on 16 May 2024.

The LP2021 was formally published on the 2 March 2021, and now forms part of LBL's Development Plan and contains the most up-to-date policies.

General

The Mayor is pleased that LBL are continuing to make headway through the Local Plan examination process and very much welcomes the collaboration between our teams to resolve

issues. Overall, the proposed modifications are positive in addressing the issues previously raised and most are consistent with those agreed in the SoCG.

The Mayor previously raised a general conformity objection in relation to the borough's proposed approach to industrial land, with the proposed de-designation of areas of SIL proving to be a concern and the lack of established industrial need. The general conformity issues were resolved through the SoCG through a number of proposed modifications which have been included as part of this consultation.

As currently written, it is the Mayor's opinion that the draft Local Plan is now in general conformity with the LP2021. We very much appreciate the work and collaboration to reach this position.

Proposed modifications

Ref	Policy / para	Comments
MM48	Policy HO2	The proposed addition of a paragraph to reflect the small sites target for the LBL, as set out in the LP2021, and the commitment to carry this target forward is welcome.
MM49	Policy HO3	At Regulation 19, the Mayor was clear that Lewisham should clarify that where residential development on industrial sites, including non-designated ones, would result in the loss of industrial capacity the threshold should be set at 50%. Additionally, LBL were asked to amend the wording in regard the threshold approach on public land, which should recognise that the 50% threshold is only applicable where there is no portfolio agreement with the Mayor . Additional modifications to address these points would be welcomed.
MM61	Paragraph 7.85	The modification updates LBLs position in regard to Gypsy and Traveller policy, noting that once the GLA has published the London-wide Gypsy and Traveller needs assessment, they will undertake a review of Policy HO10. This is supported and in line with LP2021 requirements.
MM63	Policy EC2	Modifications agreed through the SoCG have been included in Policy EC2 and this is noted and welcomed.
MM64	New Paragraph	This modification introduces a new paragraph regarding the Central Service Areas. This was agreed as modification in the SoCG and its inclusion is noted and welcomed.
MM76	Policy EC5	The proposed modification is consistent with the one agreed in the SoCG and is noted and welcomed.
MM68	New Paragraph	The Mayor notes and welcomes the proposed modification which includes those agreed as part of the SoCG.
MM69	New Paragraph	The Mayor is pleased that the proposed modification is consistent with the one agreed in the SoCG.
MM70	New Paragraph	The proposed modification to include information about industrial monitoring is consistent with the one agreed in the SoCG and is noted and welcomed.
MM120	Paragraph EC2	LBL have added a new paragraph regarding proposed changes to two parcels of MOL which are to be de-designated, including the size and location of the parcels. There is also a small modification to the extent of the Borough's MOL boundary at St Dunstan's College. While the Mayor has no objections to this amendment, it would be beneficial if the boundary changes were labelled clearly to show what MOL is being lost and what is being retained.

Next steps

GLA officers will continue to offer their support in order to resolve the issues identified in this letter.

I hope these comments inform the final stages of the LBL Local Plan preparation and we look forward to continuing to work with you. If you have any specific questions regarding the comments in this letter, please do not hesitate to contact Emma Scott on [REDACTED]
[REDACTED]

Yours sincerely,

[REDACTED]

Lucinda Turner

Assistant Director of Planning

Cc:

[REDACTED]
[REDACTED]
[REDACTED]



Transport for London
City Planning
5 Endeavour Square
Westfield Avenue
Stratford
London E20 1JN

Phone 020 7222 5600
www.tfl.gov.uk

25 March 2025

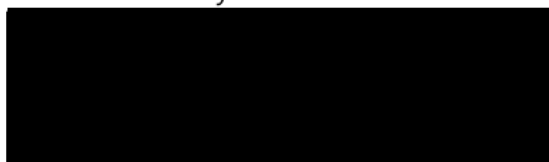
Re: Lewisham Local Plan Consultation on Modifications

Thank you for giving TfL the opportunity to comment on the Lewisham local plan proposed modifications.

Please note that these comments represent the views of Transport for London (TfL) officers and are made entirely on a 'without prejudice' basis. They should not be taken to represent an indication of any subsequent Mayoral decision in relation to this matter. The comments are made from TfL's role as a transport operator and highway authority in the area. These comments do not necessarily represent the views of the Greater London Authority. A separate response has been prepared by Places for London to reflect TfL's interests as a landowner and potential developer.

Our comments on the modifications are included in the appendix to this letter.

Yours faithfully



Josephine Vos
London Plan and Planning Obligations Manager

Email:



Appendix: Comments on modifications

Modification	Description	Comment
AM66	'Car lite' definition	The added definition of 'car lite' in the local plan glossary is inconsistent with the London Plan. It could be deleted as the term is already explained in para. 12.23 of the local plan. If it is retained, it should be amended, for consistency with part B of London Plan policy T6 Car parking: 'Securing places and lifestyles that rely less on cars, and more upon walking, cycling and public transport for mobility; or even teleworking where possible; while not eliminating car transport entirely. Providing the minimum necessary parking.'
MMI48	Safeguarding including BLE	For clarity, 'BLE' should be added to the last sentence of the modification to part C: 'The <u>BLE</u> safeguarded area is shown on the proposed policy maps.'
MMI50	BLE safeguarding	The part C modification wording differs from that in PDII 'Schedule of Proposed Modifications' MO 235 ¹ (in terms of the reference to 400 metres). We regard the reference to 400 metres as unnecessary as it would apply to land not subject to the BLE safeguarding directions. If this is an error, it should be amended as follows: 'Development proposals on sites located within 400 metres of the BLE safeguarded area, under the Secretary of State for Transport's BLE safeguarding directions, must (unless exempted in those directions) demonstrate that the proposed development will not preclude or delay the delivery of the BLE [. . .]'. This also affects MM262.
MMI53	Car clubs explanatory text	The first sentence of the new paragraph should be amended to avoid implying that car clubs are necessary to support car-free development: 'Car clubs can serve to support <u>be useful in supporting</u> car-free development.'
MMI75	Thurston Road Bus Station	The BLE safeguarding directions should be included under 'Planning Designations and Site Considerations'.
MM239	Sun Wharf Mixed-Use Employment Location (including Network Rail Arches)	The reference to 'Cycleway 35' is an error as Cycleway 35 is in Peckham. The Cycleway link that connects to Cycleway 10 and runs south from the site along Creekside towards Lewisham should be included instead. Contributions towards connections to the cycleways as well as the cycleways themselves may be required. Both cycleways already exist so 'improvements' and 'connections to' are required rather than 'delivery'.

¹ localplanservices.co.uk/files/ugd/017f5b_5f63c14blde64al2a67ea3a06e7a66e2.pdf.

Modification	Description	Comment
		The modification should therefore be: 'The site must be fully re-integrated with the surrounding street network to improve access and permeability. The site must also facilitate the delivery of <u>contribute towards improvements to and include connections to</u> Cycleway I0 which runs over Ha'penny Bridge and Cycleway 35 running along Creekside <u>the Cycleway link that connects to Cycleway I0 and runs south from the site along Creekside towards Lewisham.</u> '
MM250	Leegate Shopping Centre	Requiring provision of parking other than for disabled persons would not be consistent with local plan policy TR4 Parking nor the London Plan. The impacts of any required access for emergency vehicles or other vehicles on road safety will need to be considered when deciding where the new health facility should be provided in the development.. The modification should be amended as follows: 'New provision should include ground floor accommodation with access for emergency vehicles, blue badge and other parking for frail patients. <u>Safe access for emergency vehicles and for any required disabled persons parking should be considered when locating this facility.</u> '
MM256	Sainsbury's Local and West of Grove Park Station	The site includes bus driver facilities as well as bus stands. The modification should therefore be amended to: 'The on-site bus stands <u>s and associated facilities</u> remain s in operational use. Consequently, applicants must consult with Transport for London to investigate future options for the bus stand <u>these</u> , including the continued operational function of either the existing, or re-provided, bus facility <u>facilities</u> , which the site masterplan should address.'
MM262	Bell Green and Lower Sydenham	As for MMI50, the modification to part Ca. differs from that in PDII 'Schedule of Proposed Modifications' MO 261 ² (in terms of the reference to 400 metres). Further, the reference to safeguarding could be removed from this policy as this area is not safeguarded by the Secretary of State for Transport directions. Part Ca. could instead say: 'Ensure that development will not prejudice the delivery of the Bakerloo line extension, considering Transport for London infrastructure requirements and/or feasibility studies associated with BLE Phase 2.'
MM268	Former Bell Green Gas Holders and Livesey Memorial Hall	Bus services go into the site as well as around it, so it would be better for the modification to item 3 to be: 'Applicants should consider increasing bus services through <u>serving</u> the site, in partnership with TFL.'

² localplanservices.co.uk/files/ugd/017f5b_5f63c14b1de64a12a67ea3a06e7a66e2.pdf.

Planning Service
London Borough of Lewisham
Laurence House
1 Catford Road
London
SE6 4RU

Date: 26 March 2025

Dear Sir or Madam,

Representations to the Main Modifications Consultation of the Lewisham Local Plan Review.

On behalf of Lewisham House No.1 Limited (hereinafter 'the Client' / 'our Client'), Knight Frank hereby submit representations in respect of the Main Modifications Consultation of the Lewisham Local Plan, which is running from 13th February 2025 to 26th March 2025.

The London Borough of Lewisham ('LBL' / 'the Council') has been preparing a new Local Plan for Lewisham for several years. The Client submitted representations to the Regulation 19 Consultation which ran from March to April 2023 on the Proposed Submission Document (dated January 2023). Subsequently the Client attended and made representations at the Examination Hearing Sessions held during June and July 2024.

On the 8th November 2024 the examination Inspector published a schedule of requests for clarifications and proposed main modifications. The Council are now consulting on the Main Modifications which are proposed to secure the soundness of the new Local Plan.

Our Client have a major land interest in the borough as owners of Lewisham House, 25 Molesworth Street, SE13 7EP ('the Site'), which will be affected by the policies and allocations contained within the new Lewisham Local Plan. The Client supports the preparation of the new Lewisham Local Plan and the allocation of the Site within the Plan for comprehensive mixed-use redevelopment.

Our Client has worked constructively with the LBL during the preparation of the new Lewisham Local Plan. Within this representation we provide comments on a range of draft policies against the tests of soundness, and also where necessary, make specific reference to our Client's Site.

The Site

Lewisham House is currently vacant but was last in use as an office (Use Class E(g)). The Site is situated within Lewisham town centre and is an underutilised and brownfield site in a highly sustainable location.

The Site has been subject to a number of recent prior approval applications. Prior approval submitted under Schedule 2, Part 3, Class O) was granted on 17 May 2021 (Ref. DC/21/120369) for the change of use from office to residential (Use Class C3) to create 219 units. The prior approval was not implemented.

Knight Frank
55 Baker Street, London, W1U 8AN
+44 20 7629 8171

knightfrank.co.uk

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Prior approval under Schedule 2, Part 3, Class MA was submitted on 11 February 2025 for the change of use from office to residential (Use Class C3) to create 193 units and is currently pending determination (ref. DC/25/139023). An application for external façade upgrade works is also pending determination (ref. DC/25/139014).

The Client has also undertaken several pre-application meetings with LBL in relation to a full planning application for conversion to 319no. co-living units and external façade upgrade works. The application will be submitted during the spring.

The Site is suitable, available and deliverable within the first 5 years of the Plan period.

Main Modifications

Paragraph 35 of the National Planning Policy Framework ('NPPF') (December 2024) which the Local Plan is being considered against requires that any Plan submitted to the Secretary of State for Examination must be capable of being found both legally compliant and sound. This places various duties on the Council including, but not limited to, ensuring the Plan is:

- Positively prepared – seeking to meet objectively assessed needs, including unmet needs from neighbouring areas where it is practical to do so;
- Justified – an appropriate strategy, taking into account the reasonable alternatives, based on proportionate evidence;
- Effective – deliverable over its period and based on effective joint working on cross-boundary strategic matters; and
- Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in the Framework.

If the Lewisham Local Plan Proposed Submission Document fails to accord with any of the above requirements, it is incapable of complying with the NPPF, which as a result of Section 19 of the Planning and Compulsory Act 2004, is a legal requirement.

Local Plan Part 1: Planning for an Open Lewisham

Chapter 2 – Lewisham Today and Planning Ahead

MM2. The modification which proposes to emphasise the responsibility of development to support the health and wellbeing of residents and communities through the provision of social infrastructure is supported.

Chapter 3 – Vision, Strategic Objectives, and the Spatial Strategy

MM4. The proposed addition of opportunity areas and strategic areas of regeneration to the Borough-wide Spatial Strategy plan at Figure 3.3 is supported. These designations are crucial components of delivering the spatial strategy which is set out at Policy OL1 therefore their inclusion on the Borough-wide Spatial Strategy plan is a crucial visual aid to identify the location of these designations where growth and investment will be directed.

MM6 to MM11. The clearer definitions of growth corridors, growth nodes, regeneration nodes and strategic areas of regeneration in the supporting text to Policy OL1 are supported as the modifications assist in clarifying where growth and investment will be directed and what type of growth would be anticipated in the areas covered by these designations.

Local Plan Part 2: Managing Development

Chapter 5: High Quality Design

Policy QD4 (Building heights)

MM17. Policy QD4 (Building heights) and Figure 5.1 (Tall buildings suitability plan) sets out areas where tall buildings are considered acceptable in principle, in accordance with London Plan Policy D9 (Tall buildings). Figures 5.3 to 5.10 provide additional detail by confirming the maximum heights within each of the suitability zones.

A modification proposes to add additional text to Part C of Policy QD4 stating “*Although maximum heights are provided for each for the Tall Building Suitability Zones, proposals will still be expected to include robust design justifications for the heights proposed. This will include the testing of possible impacts upon key views*”. It is agreed that this modification is necessary to ensure that the height of tall buildings is fully justified and evidence-based in design terms to ensure high-quality development.

In relation to Part F, our Client submitted representations to the Regulation 19 Consultation questioning the necessity that tall buildings must be delivered through a masterplan process in accordance with the requirements of Policy DM3 (Masterplans and comprehensive development). Please note that Part F of the policy should refer to DM3, rather than DM4 as is does currently, which is typographical error. Stating that tall buildings must be delivered in accordance with a masterplan is overly restrictive. The sentence should be re-worded to state that “*Tall buildings should be delivered through a masterplan process where this is specified...*”. This part of the policy would therefore align with Policy DM3 Part B which we provide further information on in this response.

Policy QD6 (Optimising site capacity)

MM24. The modification which is proposed at paragraph 5.44 to clarify that the indicative capacities identified for the site allocations provide a starting point for this process and are not intended to be a cap on potential development quantum is supported as this enables design-led optimisation and assessment to determine appropriate development quantum's at the planning application stage. Nevertheless we anticipate that owing to the significant amount of work which has informed the Local Plan evidence base and the indicative capacities for the site allocations, we would not expect future planning applications to vary significantly from the indicative capacities. Notwithstanding, we propose no changes to the proposed modification wording.

Chapter 7: Housing

Policy HO1

MM45 to 47. The modifications throughout this section to confirm that LB Lewisham have applied a 20% buffer to their five-year housing land supply owing to under delivery of housing over the previous three years is supported as it provides clarity to the current housing position.

Policy HO7 (Purpose Built Student Accommodation)

MM56. The modifications which are proposed to Policy HO7 are supported however we consider that further modifications are required to ensure the policy is sound. We previously set out in our representations to the Regulation 19 Consultation and at the Hearing Sessions the modifications which we consider are necessary.

Policy HO7 Part A states that proposals for PBSA will be supported where they help to meet an identified need, and will not result in a harmful overconcentration of PBSA – taking into account the amount of PBSA within an area, and the proportion of PBSA provided in relation to the overall mix of housing within a development, relevant masterplan, or site allocation.

Clarity is required regarding ‘proportion of overall housing mix within a site allocation’, to ensure that the development potential of sites owned separately within an allocation are not prejudiced as a consequence of development that may or may not come forward on the remainder of a site allocation.

We question what evidence sits behind this element of the policy. What proportion is acceptable and why? What proportion is unacceptable and why? In terms of the proportion, is this considering bed numbers, habitable rooms or unit numbers. PBSA is counted in terms of bed numbers whereas residential is counted as units. Clarity and justification for this approach is required. During examination, these questions were not answered.

We also consider that further clarification is required as to what “harmful overconcentration of PBSA” entails, and how this is determined, especially in relation to what would be considered ‘harmful’. What is harmful about students as a group of people? Where is the evidence to suggest that “x” number of students in a local area is harmful in some way? Students bring spend to a local economy, support London’s wider economy, and can add vibrancy and culture to their locations. They can support retail and amenities throughout the day and night, and perhaps more so than other elements of the local community. These are all positive outcomes of having students in Lewisham Town Centre. At examination, the council acknowledged the role that student accommodation has in the overall housing supply, and the contribution that students make to the Borough. How concentration is intended to be established, and how harm is to be attributed, was not confirmed, and the proposed policy wording still lacks clarity on this point and is unsound.

Locating students in Lewisham Town Centre in PBSA is also beneficial to housing supply bearing in mind the ratio of 2.5:1 (PBSA beds : C3 units) set out in the London Plan, and in terms of releasing traditional housing and HMO stock to the wider market.

We recognise that the proposed modification of this policy will insert a new explicit reference to securing “mixed and balanced” communities which should be applied in consideration of the NPPF and the London Plan. The GLA’s Purpose-built Student

Accommodation LPG which was published in October 2024 explains that boroughs could, if they consider it necessary, take a plan-led approach to managing any concentration or dominance of PBSA. A plan-led approach is encouraged over the decision-making development management route. There is no evidence that the Council has considered the LPG in preparing the Local Plan. Given the intervening time period between the LPG being published (noting that it was also in draft for many months before this) the Council should have prepared an evidence base in accordance with the guidance to substantiate the wording of Policy HO7 and we would encourage this exercise to be undertaken.

Additionally, we request further clarification is provided as to what “giving priority to the local student population” includes – whether this is students studying at a local university, students from Lewisham wanting to live in PBSA locally, or students from the particular location within Lewisham, as this unclear.

As such, Policy HO7 does not provide sufficient guidance to developers in terms of PBSA, as it is vague in respect of particular parts and clauses such as local market demand and harmful overconcentration of PBSA. Therefore, it is not clear how the Policy may be applied in a range of circumstances. As a result, Policy HO7 is not effective or justified and should be amended to better reflect the questions we raise above, and evidence its effectiveness and justification. As drafted, it is unsound.

Policy HO8 (Housing with shared facilities (Houses in Multiple Occupation))

MM57. The modifications which are proposed to Policy HO8 are broadly supported. Importantly, and in accordance with Examination Action 33, the word ‘only’ should be removed from Part A of the policy (as has been done in Policy HO7) as it is overly restrictive. We also consider that further modifications are required to ensure the policy is sound. We previously set out in our representations to the Regulation 19 Consultation and at the Hearing Sessions the modifications which we consider are necessary.

Policy HO8 Part D states that development proposals for large-scale purpose-built shared living accommodation will only be permitted subject to certain criteria. More clarity is required, on the requirement for developments to ‘*meet an identified local market demand for the type of housing proposed*’. Supporting paragraph 7.75 adds that “*Applicants will be required to submit robust, relevant and proportion evidence of market demand in the Borough for the type of provision proposed, along with evidence to demonstrate that the development will not result in a proliferation of purpose-built shared living in the borough*”.

Clarity is required as to what ‘proliferation’ of co-living development means, and how this is assessed. What number of rooms in a location is acceptable and unacceptable and why? These types of developments are occupied by the general public who are most likely local residents already, seeking high quality managed rental accommodation. What harm does having a number of co-living schemes in a location actually have, in this context? What evidence underpins this?

Given that co-living schemes are meant to be in the most accessible and sustainable locations (town centres/near transport) it is likely that there will be an increase in schemes in these places. This objective is at odds with the concern over proliferation.

There was limited discussion on this topic at examination, but the council was (according to our notes) intending to either change the language or at least clarify what was meant by the term proliferation and what impact is to be mitigated. We do not see this clarity in the amended policy.

We recognise that the proposed modification of this policy will insert a new explicit reference to securing “mixed and balanced” communities which should be applied in consideration of the NPPF and the London Plan. The GLA’s Large-scale Purpose-built Shared Living LPG which was published in February 2024 explains that boroughs could, if they consider it necessary, take a plan-led approach to managing any concentration or dominance of co-living developments. A plan-led approach is encouraged over the decision-making development management route. There is no evidence that the Council has considered the LPG in preparing the Local Plan. Given the intervening time period between the LPG being published (noting that it was also in draft for many months before this) the Council should have prepared an evidence base in accordance with the guidance to substantiate the wording of Policy HO7 and we would encourage this exercise to be undertaken.

Additionally, the Policy should refer to the adopted Large-scale Purpose-built Shared Living LPG (2024) which provides further advice on the application of London Plan Policy H16 and for co-living schemes within London.

In order for the above policies to be considered sound, we suggest that clarifications and further evidence is provided to justify the approach to be taken, and to ensure compliance with London Plan and supporting guidance. As it stands, for the reasons outlined above it is our view that these policies are not sound as they are in part unclear and unjustified.

Chapter 8: Economy and Culture

Policy EC2 (Protecting Employment Land and Delivering New Workspace)

MM63. Our Client's representations to the Regulation 19 Consultation and Hearing Statements outlined our Client's concerns that policies were not clear on the topic of "loss of office", notably in relation to Policy EC2 (Protecting employment land and delivering new workspace).

It is acknowledged that part B(c) seeks to maximise opportunities to deliver new and enhanced workspace, including through appropriate mixed-use development in town and edge-of-centre locations and non-designated employment sites. Part C states that outside of designated employment areas the appropriateness for new employment uses will be assessed having regard to the nature and scale of the development, and additional criteria such as the compatibility with neighbouring land uses and compliance with other Local Plan policies. Encouraging the delivery of mixed-use development in highly accessible locations is supported, however this is not currently reflected in Figure 8.1 or Table 8.1 – it is suggested that these Figures should be updated, or new Figures provided, to reflect that town centre and well-located sites are also suitable for employment uses as part of regeneration and mixed use development.

However, exclusive focus on providing 'appropriate mixed-use development' is not suitably flexible, particularly with regard to change of use applications which cannot easily facilitate mixed-use schemes. As noted above, the direction of travel is to reuse and repurpose existing buildings and so policy must be written in a way which accounts for this. We recognise the modification that is proposed at Policy EC2 Part E which states that "*Proposals seeking to change the use of existing business floorspace, to another commercial or industrial use will be considered against Local Plan Policies EC5 – EC8. Proposals that result in an increase in industrial capacity will be supported*".

Policies EC5 - EC7 relate to designated industrial and employment land. Policy EC8 (Non-designated employment sites) would therefore be the most relevant to "loss of office" outside of a designated employment sites and in town centres. Part B of Policy EC8, in a similar vein to EC2 part B(c), supports the development of employment-led mixed-use development in highly accessible locations subject to criteria. Again, the locations where such development will be supported should be identified on the proposals map to ensure sufficient clarity of where this part of the policy applies. Parts C and E relate to industrial capacity. Part D seeks to ensure the maximum amount of affordable housing on sites where a "*residential element*" is introduced – which does not allow for the total change of use or loss of the employment land.

Part C of the policy and the tests in its relevant sub-parts specify criteria for securing the loss of unviable industrial capacity. This part of the policy must be updated so that the tests within are relevant to securing the loss of unviable and redundant employment floorspace more broadly (inc. office floorspace) and should not apply solely to industrial land. We wonder whether this is in fact the Councils intention however it has not been followed through into the wording.

Overall, we consider that the proposed modifications still do not sufficiently consider the loss of office, and it therefore remains unclear whether existing office space is safeguarded under the provisions of the draft Local Plan. This approach is therefore unsound.

Policy LCA2 Part J seeks retention of existing workspace in Lewisham Major Centre, however this is not acknowledged in Policy EC2. It is suggested that the wording is updated to ensure clarity and consistency.

Part 3: Lewisham's Neighbourhoods and Places

Chapter 13 – Lewisham's Neighbourhoods and Places

MM157. The modification to confirm that the indicative development capacity expected by the site allocations are a minimum scale of delivery is agreed. This allows sufficient scope for design-led assessment to determine the quantum of new development which would optimise each site allocation.

Site Allocation: Lewisham Shopping Centre

The Site is included within the draft Site Allocation for Lewisham Shopping Centre; comprising a much larger site of 6.38 hectares. The Client supports the allocation of the Site for comprehensive mixed-use redevelopment comprising compatible main town centre, commercial, community and residential uses.

MM167. A modification is proposed to update the indicative development capacity of the allocation. Column 2 and column 3 in the below table set out the indicative development capacity at the Regulation 19 stage and at the current Main Modifications stage respectively. Column 4 summarises the change between the two stages.

The Council's 'Response to Actions: Matter 17 Lewisham's Central Area (LCA) Spatial Objectives and Site Allocations' (September 2024) Action 128 confirms that the indicative development capacity for the site allocation is derived from engagement with the lead developer (Landsec). It is therefore understood that the indicative development capacity contained within the Main Modifications reflects the hybrid planning application which Landsec submitted in October 2024 which covers the site allocation in its entirety (ref. DC/24/13787). The application is proposing a total of 2,230 housing units in consideration of C3 housing, co-living and PBSA as calculated in column 5 below.

Table 1. Lewisham Shopping Centre Site Allocation indicative development capacity & Lewisham Shopping Centre planning application summary

Land Use	Regulation Allocation	19	Examination MM Allocation	Change from R19 to MM's	Lewisham Shopping Centre Planning Application
Housing	1,579 units		2,145 units	+566 units	Up to 1,719 C3 homes + equivalent to 511 in Co-Living and PBSA combined TOTAL= 2,230 units
Co-living	-		-	-	445 units (247 equivalent*) See above
Student	-		-	-	661 units (264 equivalent*) See above
Town Centre Uses	60,291sqm		70,000sqm	+9,709sqm	46,666sqm
Employment Uses	20,097sqm		0sqm	-20,097sqm	0sqm

*Considering 1.8 co-living units as 1 housing unit and 2.5 PBSA units as 1 housing unit as per the London Plan.

The modification proposes an indicative development capacity for housing which is lower than that of the Landsec application (85 units fewer to be precise) and it is assumed that this is because the Landsec application is proposing two towers extending to 35 storeys and 32 storeys which exceed the 25 storey maximum height thresholds for the site allocation set by Policy QD4 (building heights), though clarification on exactly how 2,145 units has been calculated is requested. Notwithstanding it is acknowledged that the indicative development capacity is considered to be a minimum scale of delivery (as per MM24 and MM157) which shall be subject to design and environmental assessment and testing. However, as explored in greater detail below, it is considered that seemingly utilising the Landsec planning application as the sole basis for estimating the indicative development capacity is inappropriate.

The Council's 'Response to Actions: Matter 17 Lewisham's Central Area (LCA) Spatial Objectives and Site Allocations' (September 2024) Action 130 acknowledges that the Lewisham House landowner, Lewisham House No.1 Limited, is presently proposing the conversion of the building (Lewisham House) to a form of residential accommodation of c.200 homes.

The Council comments that *"this is fewer new additional homes than those that are being proposed; across the site, and specifically on the Lewisham House portion of the site; under Landsec's comprehensive scheme for the site."* Further comments from the Council state that *"should the conversion scheme being proposed for Lewisham House gain consent and be delivered, in tandem to an appropriately adjusted Landsec proposal, there is a possibility that the site allocation will under-perform – in respect of the housing land supply trajectory. The Council anticipates that should such circumstances arise, that Landsec would bring forward another portion of their site, for residential development, early in their phased delivery. Such a response would ensure that the housing land supply trajectory would remain on an upward trajectory"*.

Our Client has the legal ability to redevelop Lewisham House and proposes to bring forward a refurbishment and change of use to 319 co-living units (the equivalent of 177 units to Lewisham's housing target). Our Client's proposals will optimise the use of Lewisham House to deliver new housing through the retention of the existing building which includes significant sustainability benefits and will deliver new homes within 3-5 years. Landsec do not have the legal ability to redevelop our Client's Site as demonstrated through KC opinion and this has now been agreed by the Council (post-examination).

Given the above, including the redevelopment of Lewisham House in the Landsec Masterplan, which has informed the indicative housing development capacity of the Site Allocation, is inappropriate. The indicative housing development capacity should be re-calculated in consideration of our Client's proposals for Lewisham House and Landsec's proposals for the land that they have the legal ability to redevelop. The above comments from the Council acknowledge that should the conversion

of Lewisham House being proposed by our Client come forward then Landsec would bring forward another portion of their site for residential development early in their phased delivery. Given that Landsec do not have the legal ability to bring forward their proposals at Lewisham House then they should indeed be considering how they would bring forward residential development at the earliest opportunity at other locations across their masterplan.

It is also clear that the additional massing currently proposed in outline to Lewisham House could be redistributed elsewhere in the masterplan so that the overall capacity of the Site Allocation is broadly in line with that which Landsec has proposed in its hybrid planning application. We anticipate that the capacity would still be higher than the draft site allocation anticipates.

The Council note above that they have concerns regarding the Site Allocation under-performing in respect of housing delivery if our Client brings forward their proposals for Lewisham House. As noted above, our Client will be optimising Lewisham House to deliver new housing and as noted below in response to MM324 our Client will not be prejudicing development across the wider masterplan. For the Council to address their concerns regarding under-delivery of the Site Allocation they should request that Landsec reassess whether they are optimising the land which they have the ability to develop for new housing, in consideration of the other land uses which the Site Allocation must also deliver. This re-assessment may result in the indicative development capacity for the site allocation being revised.

MM167 also proposes to remove employment uses from the indicative development capacity and increase the quantum of employment uses. The Council's 'Response to Actions: Matter 17 Lewisham's Central Area (LCA) Spatial Objectives and Site Allocations' (September 2024) footnote 1 confirms that it was assumed employment uses were inclusive of non-main town centre employment uses defined under Use Class E (g) (ii) and (iii). It is agreed that under this definition, employment uses are unlikely to be appropriate for a town centre location and therefore our Client is satisfied for town centre uses to be increased to 70,000sqm and employment uses to be reduced to 0sqm.

We also note that the Landsec application is proposing 46,666sqm of town centre uses against an indicative development capacity of 70,000sqm. Given that the Landsec application in its current form covers the entire site allocation clarity should be provided for how and why the application is proposing to significantly underdeliver on town centre uses when the indicative development capacity figure is a minimum. Clarity is required to ensure that the viability and vitality of the redeveloped shopping centre will be secured.

MM168. Following modifications, supporting paragraph 14.28 would continue to refer to “*comprehensive redevelopment of the shopping centre site allocation as a whole*” which could be interpreted as comprehensive demolition and rebuild. Notwithstanding MM170, to supporting paragraph 14.30, proposes to introduce text that will allow for the refurbishment of plots within the site allocation; this text is supported by our Client as explained below. Therefore when both sentences are read together it is clear that there is scope for the refurbishment of buildings within the site allocation.

MM169. The modification proposed stipulates that “*it is the responsibility of the lead landowner / developer (who is bringing forward the site-wide master plan) to demonstrate that they have taken all reasonable efforts to undertake positive and meaningful engagement with other relevant neighbour land interests*”. Our Client supports this modification and welcomes discussions with the lead landowner / developer (i.e. Landsec) to ensure a coordinated masterplan approach which will deliver the ambitions of the site allocation for the benefit of local residents.

MM170. Our Client notes that under development guideline 12 of supporting paragraph 14.30 the allocation acknowledges that the principle of redevelopment of the Site has already been established through the prior approval process. At the beginning of guideline 12 a modification is proposed to acknowledge that refurbishment for plots of land within the allocation should be explored, not only redevelopment. This modification is supported in recognition of the significant benefits for sustainability and carbon derived from the refurbishment of existing buildings. Our client is pursuing a refurbishment and change of use of Lewisham House to deliver a living use with the sustainability benefits of building retention being a fundamental consideration.

The latter part of the same sentence proposes a modification to ensure that the development of plots of land that do not fall within the ownership of the lead developer are fully coordinated with a comprehensive approach to the allocation. Our Client agrees that a coordinated and comprehensive approach to development would be ideal however as explained in our Clients representations to the Regulation 19 Consultation and at the Hearing Sessions, and as acknowledged by MM324, a fully co-ordinated approach may not always be achievable should landowners be unable to positively and meaningfully engage. Notwithstanding, the principle of a fully co-ordinated approach is agreed and the modifications to development guideline 12 are supported.

Policy DM3 (Masterplans and Comprehensive Development)

The principle of what this policy is seeking to achieve is supported and the modifications which have been proposed are largely welcomed and our Client thanks the Council there engagement.

MM321. Part A proposes to retain the text stipulating that “*Development proposals must be accompanied by a site masterplan*” [our emphasis] whilst modifications are proposed to Part B to state that “*Where it is specified, a masterplan must be submitted*”. The insertion of the ‘where specified’ text into B is welcome as this provides some added flexibility however this would seem to contradict with A. If a masterplan is required ‘where specified’ then A must be updated to reflect B.

Given that the council acknowledges that plots within an allocation could come forward independently, and those plots would not realistically need a masterplan, Part A should be modified to remove the word “must”.

The remaining modifications proposed to Policy DM3 are supported as these provide additional clarity to the requirements for a masterplan.

MM322 and MM323. The modifications proposed are supported as these provide additional clarity to the requirements for a masterplan.

MM324. The modifications proposed to supporting paragraph 19.16 are supported. Our Client recognises the benefits of a coordinated approach between landowners and the preparation of a masterplan for a site allocation. As noted above, our Client seeks to work positively with other landowners in a coordinated manner to deliver a masterplan which will deliver the ambitions of the site allocation for the benefit of local residents. The modification proposed stipulates that it is the responsibility of the lead landowner / developer (who is bringing forward the site-wide master plan) to demonstrate and evidence that they have taken all reasonable efforts to undertake positive and meaningful engagement with other relevant neighbour land interests. This is a pragmatic and sensible approach with our Client supports.

Later in MM324 it is proposed that additional wording be provided to stipulate that “*those developers seeking to bring forward proposals on ~~their~~ land that are contrary to emerging or agreed site-allocation wide master plans will be required to demonstrate, through appropriate and proportionate technical evidence, that ~~their~~ a scheme is genuinely deliverable and will not prejudice planned-for delivery across the remainder of the site. Under such circumstances, proposals must also demonstrate that they accord with the relevant site allocation policy*”. Demonstrating that proposals are genuinely deliverable and will positively contribute towards the site allocation is agreed and is necessary to ensure delivery. We propose minor modifications to the above as indicated to ensure that the requirement is clear.

However, more substantially, as currently worded the modification would only require those developers who are not the lead developer to provide evidence of genuine deliverability. The lead developer for the Lewisham Shopping Centre (Landsec) have submitted a hybrid planning application which covers the site allocation in its entirety (ref. DC/24/13787) indicating that the scheme is unviable, showing a deficit of £277 million. Surely all developers, including the lead developer, should be required to demonstrate that their scheme is ‘*genuinely deliverable*’ to ensure that the allocation will be delivered as the Council envisage in order to meet their housing requirements. The ‘*technical evidence*’ of the Lewisham Shopping Centre application (i.e. financial viability appraisal) demonstrates that the scheme is not deliverable. Given that the application which has been submitted is showing a such a substantial deficit we question whether this invalidates the allocation and its soundness.

In addition, as currently worded the above proposed text assumes that a site-allocation wide masterplan has been prepared and agreed. The masterplan is not agreed until it has planning permission. What would happen if the emerging masterplan being brought forward by the lead developer stalls due to factors such as viability? In this circumstance, would this mean that the Council have the power to decide the acceptability of an alternative proposal by other landowners to bring forward viable development on their own land, based on whether the masterplan is deliverable or has become undeliverable and should be diverged from? This is not clear from the above. Given the policy allows for plots within an allocation to come forward independently, it is a sound approach to amend the above wording as proposed to create flexibility, enabling delivery of individual plots either as part of a masterplan or independently where masterplan delivery has stalled.

Our Client’s proposal for the Site comprising its refurbishment and change of use to co-living would contribute towards the delivery of new homes in accordance with the site allocation and would not prejudice delivery of the remainder of the allocation. As such our Client’s emerging proposals are in accordance with the modified Policy DM3 wording. Our Client is happy to engage collaboratively with LBL and other landowners regarding a masterplan / the Lewisham House Site in the context of the Allocation and wider aspirations.

Policy DM4 (Land Assembly)

MM325. The modifications proposed clarify that the Council will support land assembly to achieve comprehensive redevelopment but only “*where it is appropriate and necessary*”. Furthermore it is confirmed that the Council will consider the use of its compulsory purchase powers to assemble land for development within the Borough where there is a compelling case in the public interest do so and sets out a number of requisite criteria. The modifications which are proposed align the policy with the Compulsory Purchase Act and relevant planning guidance and it is agreed that these modifications are required to make the policy sound.

Conclusion

Lewisham House No.1 Limited support the ongoing preparation of the new Lewisham Local Plan and thank the Council for their collaboration during the examination. In particular, the Client supports the inclusion of the Site within an allocation for comprehensive redevelopment, and the focus on encouraging a town centre first approach.

The Main Modifications are broadly accepted however it is considered that in its current form the draft Local Plan would not be legally compliant or sound and the Client suggest that the Council review a number of the policies discussed above.

Should you have any queries or require further information at this stage, please feel free to contact Chris Benham

[REDACTED]
Yours faithfully,

[REDACTED]

Knight Frank LLP

Consultation on the Proposed Modifications in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 Regulation 24 – Standard Response Template

This form has two parts

Part A – Personal details to be completed once

Part B – Your response(s) to the Proposed Main Modifications.

Part C – Your response(s) to the Proposed Additional Modifications and/ or Proposed Changes to the Submitted Proposals Map

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

Part A – Personal Details

All representations will be made public along with the name of the person making the submission, all other personal information will be kept confidential. Following the conclusion of the Consultation, all responses that relate to the Proposed Main Modifications will be passed to the appointed Independent Inspectors for their consideration.

Title

First Name

Last Name

Job Title

Organisation

Address

Post code

E-mail Address

Telephone number

Part B (Use a separate sheet for each response)

Please note: Those responding to the consultation may only comment on the soundness of the proposed Main Modifications. There is no opportunity to comment on other aspects of the new Local Plan that do not correspond with a proposed Main Modification.

Reference:

MM285

Comment: Why is the Main Modification unsound?

The Council's reason for modification "Modification to reflect agreed position with development partner" is not correct.

As identified at 4.10 of the agreed Statement of Common Ground between LB Lewisham and Phoenix Community Housing (PCH) in relation to LSA SA 09 - Catford Police Station, "The employment quantum is not agreed and will be discussed further in Phoenix Community Housing's Hearing Statement for the Examination".

PCH's Hearing Statement in response to the Inspectors Questions Q20.11 - Q20.23, and reiterated in oral representations at the hearing on 11th July 2024, considered that the indicative capacity in LSA SA 09 should be amended to remove the employment/ non-residential floorspace quantum with the indicative site capacity identifying a residential use only.

As noted in its Hearing Statement, PCH's preference is to provide a 100% affordable housing scheme.

The inclusion of non-residential floorspace alongside retention of the locally listed building represents a significant constraint to the overall quantum of housing that could be provided on the site, contrary to London Plan policy H1 focus on optimising the potential for housing delivery on all suitable and available sites; affordable housing provision, particularly with the 50% policy requirement in effect under London Plan policy H4; and a mix that meets local needs that PCH is well placed to address.

Since the Local Plan hearings, PCH has undertaken further pre-application discussions with LB Lewisham including a meeting with the Business and Partnership Team and an updated Employment Premises Market Assessment (Jan 2025) has been prepared by Savills which continues to demonstrate that there is very limited demand for employment premises at the site across all potential employment use classes.

A scheme for the site has been finalised and a planning application for 63 homes (all affordable) was submitted to LB Lewisham on 18th March 2025 under Planning Portal Ref: PP-13867746. PCH considers that this wholly residential scheme optimises, both site capacity and the delivery of much needed affordable housing, and is deliverable within the first five years of the Local Plan.

Consultation on the Proposed Modifications in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 Regulation 24 – Standard Response Template

This form has two parts

Part A – Personal details to be completed once

Part B – Your response(s) to the Proposed Main Modifications.

Part C – Your response(s) to the Proposed Additional Modifications and/ or Proposed Changes to the Submitted Proposals Map

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

Part A – Personal Details

All representations will be made public along with the name of the person making the submission, all other personal information will be kept confidential. Following the conclusion of the Consultation, all responses that relate to the Proposed Main Modifications will be passed to the appointed Independent Inspectors for their consideration.

Title	<input type="text" value="Ms"/>
First Name	<input type="text" value="Jill"/>
Last Name	<input type="text" value="McGregor"/>
Job Title	<input type="text" value="Director"/>
Organisation	<input type="text" value="Lanpro - representing Phoenix Community Housing"/>
Address	<input type="text" value="Moor Place, 1 Fore Street Avenue, London"/>
Post code	<input type="text" value="EC2Y 9DT"/>
E-mail Address	<input type="text"/>
Telephone number	<input type="text"/>

Part B (Use a separate sheet for each response)

Please note: Those responding to the consultation may only comment on the soundness of the proposed Main Modifications. There is no opportunity to comment on other aspects of the new Local Plan that do not correspond with a proposed Main Modification.

Reference:

MM282

Comment: Why is the Main Modification unsound?

Phoenix Community Housing (PCH) has a general comment on the the 'Planning Status' of the LSA 09 Catford Police Station site allocation.

The planning status of the site should be further revised from 'Pre-Application' to 'Application' as since the Examinaton Hearings and modifications in response to MIQ20.12, PCH has undertaken further pre-application discussions with LB Lewisham and presented to a second Design Review Panel. The scheme for the site has been finalised and a planning application for 63 homes (all affordable) was submitted to LB Lewisham on 18th March 2025 under Planning Portal Ref: PP-13867746.

The submission of the application also demonstrates and substantiates the Council's proposed modification on timeframes for delivery of this site as within 1-5 years of the Plan period instead of years 6-10. It is PCHs intention, if planning permission is secured, to commence the development in 2026.

Consultation on the Proposed Modifications in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 Regulation 24 – Standard Response Template

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Part A – Personal Details

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Title

First Name

Last Name

Job Title

Organisation

Address

Post code

E-mail Address

Telephone number

Part B (Use a separate sheet for each response)

Please note: Those responding to the consultation may only comment on the soundness of the proposed Main Modifications. There is no opportunity to comment on other aspects of the new Local Plan that do not correspond with a proposed Main Modification.

Reference:

MM

Comment: Why is the Main Modification unsound?

Part C (Use a separate sheet for each response)

Please note: the Council is also inviting comments on the Lewisham Local Plan Additional Modifications Schedule (January 2025) and the Lewisham Local Plan Changes to the Submitted Policies Map (January 2025). These are outside the scope of the Examination. The Council will consider responses relating to these two documents and will be responsible and accountable for making these Additional Modification, or Proposed Changes to the Submitted Policies Map upon adoption of the Plan.

Reference:

AM/ PCSPM

Comment:

26 March 2025

BY E-MAIL

[REDACTED]
Planning Policy Manager
Strategic Planning Team
Place Directorate
Lewisham Council
1 Catford Road
Catford
SE6 4RU

**MICHAEL
SPARKS
ASSOCIATES**

CHARTERED ARCHITECTS

11 PLATO PLACE
ST. DIONIS ROAD
LONDON SW6 4TU

+44 (0)20 7736 6162
www.msa-architects.co.uk

Dear [REDACTED]

**LEWISHAM LOCAL PLAN CONSULTATION ON PROPOSED MAIN MODIFICATIONS –
DEPTFORD TRADING ESTATE, DEPTFORD**

This letter has been prepared on behalf of SEGRO PLC, who are the owners of an existing employment site at Blackhorse Road in Deptford, that makes up a significant part of the land referred to as the Deptford Trading Estate in the Draft Plan. In respect of the Council's preparation of a new Local Plan, this letter provides comments on the Local Plan Main Modifications Schedule January 2025, and follows representations previously made on behalf of SEGRO PLC in April 2023, May 2024, and October 2024.

As with the Representations provided in October 2024, these comments relate specifically to Policy EC4 (Main Modifications 72 – 75). On 3rd October 2024, the Council provided draft modifications to Policy EC4 to be reviewed by MSA and our response was returned on 18th October 2024. After review of Main Modifications 72 – 75, it is apparent that our previous comments have largely been ignored. It is the opinion of MSA and SEGRO PLC however that Policy EC4 is not sound and will have unintended consequences for the reasons set out below and evidenced by the appendices:

Criterion B of Draft Policy EC4

- Criterion B still states that where there is “low-cost workspace this should be re-provided”.

As previously stated, this request is impractical and unrealistic. ‘Low-cost workspace’ is that which is of low-quality and therefore cheap, as dictated by the market. With the policy requirements in place to ensure that new units are of high specification, meeting high energy efficiency standards, it is unlikely that new units will fall towards the lower end of the market. We therefore urge the Council to reconsider the reality of this request and recommend that the criterion should be re-drafted, so that ‘re-provision’ is no longer required. We note that this requirement is removed from the supporting Paragraph 8.28, which is welcomed, and for consistency and soundness, it should also be removed from the Policy.

Appendix 1 also provides a viability assessment undertaken by SEGRO PLC for the reprovision of 'low-cost' workspace, which projects an economic outcome that would be unviable for the developer.

Criterion D of Draft Policy EC4

- The affordable workspace formula imposed by Criterion D has not been sufficiently tested against development of B2 / B8 schemes in Strategic Industrial Locations, with the Planning Authority's viability study instead focused almost exclusively on mixed-use development proposals, which included residential components.

The Council have not provided any further testing of the formula against B2 / B8 schemes of the type that may come forward in areas of SIL, such as that at Blackhorse Road. We maintain that Criterion D is not properly justified and would be unviable. This is supported by testing against SEGRO schemes previously shared, as well as those outlined in the appendices of this letter. Appendix 2 addresses the provision of 9.1% of 'affordable' workspace at 50% discounts and suggests that this would be unviable for developers. Appendix 3 similarly shows that the Council's formula for calculating affordable workspace payments in lieu is also unviable.

We therefore request that the Council provide further justification for this Policy in the form of their own robust Viability Test, which shows thorough consideration for the proposed rate against major industrial development inside SILs, so that this is in accordance with the requirements of Planning Practice Guidance.

Despite the testing provided with this letter, it is maintained that the onus should not be on the applicant to demonstrate that the formula is appropriate, without the Council first showing with confidence, that it will be viable. As we have noted previously in both Written Representations and at the Hearing Session, if the requirement is unviable as suggested by Appendices 1 – 3, it will affect the delivery of employment floorspace across Lewisham.

Until such time that this extra work has been undertaken by the Council to demonstrate that development of B2 / B8 proposals within areas of SIL is generally viable, then the Policy cannot be considered to be sound. We would therefore welcome the opportunity to review further Viability Testing and subsequent Policy drafting prepared by the Council in respect of Policy EC4.

We trust that this letter clearly sets out the concerns which MSA and SEGRO PLC still have with regards to the soundness of Policy EC4. Please let me know if you have any questions.

Yours sincerely


Michael Sparks Associates


enc

Appendix 1

Example appraisal undertaken by SEGRO PLC assuming re-provision of 'low-cost' space, and no 'affordable workspace'

Outcome = **unviable**

Currency in £

REVENUE

Rental Area Summary

	Units	ft ²	Rent Rate ft ²	Initial MRV/Unit	Net Rent at Sale
Unit 1	1	10,500	25.00	262,500	262,500
Unit 2	1	10,500	25.00	262,500	262,500
Unit 3	1	2,100	25.00	52,500	52,500
Totals	3	23,100			577,500

Investment Valuation

Unit 1					
Market Rent	262,500	YP @	4.7500%	21.0526	
(6mths Rent Free)		PV 6mths @	4.7500%	0.9771	5,399,564
Unit 2					
Market Rent	262,500	YP @	4.7500%	21.0526	
(6mths Rent Free)		PV 6mths @	4.7500%	0.9771	5,399,564
Unit 3					
Market Rent	52,500	YP @	4.7500%	21.0526	
(6mths Rent Free)		PV 6mths @	4.7500%	0.9771	1,079,913
Total Investment Valuation					11,879,041

GROSS DEVELOPMENT VALUE

11,879,041

Purchaser's Costs

(756,343)

Effective Purchaser's Costs Rate

0.80%

(756,343)

NET DEVELOPMENT VALUE

11,122,697

NET REALISATION

11,122,697

OUTLAY

ACQUISITION COSTS

Fixed Price

7,800,000

Fixed Price (0.83 Acres @ 9,397,590.36 /Acre)

7,800,000

7,800,000

CONSTRUCTION COSTS

Construction

	ft ²	Build Rate ft ²	Cost
Unit 1	10,500	140.00	1,470,000
Unit 2	10,500	140.00	1,470,000
Unit 3	2,100	140.00	294,000

Totals	23,100 ft²		3,234,000	
Contingency		2.50%	80,850	3,314,850
Other Construction Costs				
Identified Risk Items			112,500	112,500
Municipal Costs				
MCIL	23,100 ft²	5.57	128,887	
Section 108 Allowance			20,000	148,887
PROFESSIONAL FEES				
Professional Fees & Surveys			531,825	531,825
MARKETING & LETTING				
Marketing			75,000	
Letting Agent Fee		15.00%	88,625	
Letting Legal Fee		5.00%	28,875	190,500
TOTAL COSTS BEFORE FINANCE				12,098,142
FINANCE				
Debit Rate 7.500%, Credit Rate 0.000% (Nominal)				
Land			1,184,209	
Construction			135,242	
Letting			503,406	
Total Finance Cost				1,832,857
TOTAL COSTS				13,930,999
PROFIT				(2,808,302)
Performance Measures				
Profit on Cost%		-20.16%		
Profit on GDV%		-23.64%		
Profit on NDV%		-25.25%		
Development Yield% (on Rent)		4.15%		
Equivalent Yield% (Nominal)		4.75%		
Equivalent Yield% (True)		4.89%		
IRR% (without Interest)		-4.22%		
Rent Cover	-4 yrs -10 mths			
Profit Erosion (finance rate 7.500)	N/A			

Appendix 2

Example appraisal undertaken by SEGRO PLC assuming no reprovision of 'low-cost' space, and provision of 9.1% 'affordable workspace' at 50% discount

Outcome = **unviable**

Currency in £

REVENUE

Rental Area Summary

	Units	ft ²	Rent Rate ft ²	Initial MRV/Unit	Net Rent at Sale
Unit 1	1	10,500	35.00	367,500	367,500
Unit 2	1	10,500	35.00	367,500	367,500
Affordable work space	<u>1</u>	<u>2,100</u>	17.50	36,750	<u>36,750</u>
Totals	3	23,100			771,750

Investment Valuation

Unit 1					
Market Rent	367,500	YP @	4.7500%	21.0526	
(6mths Rent Free)		PV 6mths @	4.7500%	0.9771	7,559,389
Unit 2					
Market Rent	367,500	YP @	4.7500%	21.0526	
(6mths Rent Free)		PV 6mths @	4.7500%	0.9771	7,559,389
Affordable work space					
Market Rent	36,750	YP @	4.7500%	21.0526	
(6mths Rent Free)		PV 6mths @	4.7500%	0.9771	755,939
Total Investment Valuation					15,874,718

GROSS DEVELOPMENT VALUE

15,874,718

Purchaser's Costs	(1,010,750)
Effective Purchaser's Costs Rate	6.80%
	(1,010,750)

NET DEVELOPMENT VALUE

14,863,968

NET REALISATION

14,863,968

OUTLAY

ACQUISITION COSTS

Fixed Price	7,800,000	
Fixed Price (0.83 Acres @ 9,397,590.36 /Acre)	7,800,000	
		7,800,000

CONSTRUCTION COSTS

Construction	ft ²	Build Rate ft ²	Cost
Unit 1	10,500	140.00	1,470,000
Unit 2	10,500	140.00	1,470,000
Affordable work space	<u>2,100</u>	140.00	<u>294,000</u>

Totals	23,100 ft²		3,234,000	
Contingency		2.50%	80,850	
				3,314,850
Other Construction Costs				
Identified Risk Items			112,500	
				112,500
Municipal Costs				
MCIL	23,100 ft²	5.57	128,667	
Section 106 Allowance			20,000	
				148,667
PROFESSIONAL FEES				
Professional Fees & Surveys			531,625	
				531,625
MARKETING & LETTING				
Marketing			75,000	
Letting Agent Fee		15.00%	115,763	
Letting Legal Fee		5.00%	38,588	
				229,350
TOTAL COSTS BEFORE FINANCE				12,136,992
FINANCE				
Debit Rate 7.500%, Credit Rate 0.000% (Nominal)				
Land			1,194,209	
Construction			135,242	
Letting			503,406	
Total Finance Cost				1,832,857
TOTAL COSTS				13,969,849
PROFIT				894,119
Performance Measures				
Profit on Cost%		6.40%		
Profit on GDV%		5.63%		
Profit on NDV%		6.02%		
Development Yield% (on Rent)		5.52%		
Equivalent Yield% (Nominal)		4.75%		
Equivalent Yield% (True)		4.89%		
IRR% (without Interest)		10.77%		
Rent Cover		1 yr 2 mths		
Profit Erosion (finance rate 7.500)		10 mths		

Appendix 3

Example appraisal undertaken by SEGRO PLC assuming no reprovision of 'low-cost' space, and provision of payment in lieu of affordable workspace

Outcome = **unviable**

Currency in £

REVENUE

Rental Area Summary

	Units	ft ²	Rent Rate ft ²	Initial MRV/Unit	Net Rent at Sale
Unit 1	1	10,500	35.00	367,500	367,500
Unit 2	1	10,500	35.00	367,500	367,500
Affordable work space	<u>1</u>	<u>2,100</u>	35.00	73,500	<u>73,500</u>
Totals	3	23,100			808,500

Investment Valuation

Unit 1

Market Rent	367,500	YP @	4.7500%	21.0526	
(6mths Rent Free)		PV 6mths @	4.7500%	0.9771	7,559,389

Unit 2

Market Rent	367,500	YP @	4.7500%	21.0526	
(6mths Rent Free)		PV 6mths @	4.7500%	0.9771	7,559,389

Affordable work space

Market Rent	73,500	YP @	4.7500%	21.0526	
(6mths Rent Free)		PV 6mths @	4.7500%	0.9771	1,511,878

Total Investment Valuation

16,630,657

GROSS DEVELOPMENT VALUE

16,630,657

Purchaser's Costs

Effective Purchaser's Costs Rate 6.80% (1,058,881)

(1,058,881)

NET DEVELOPMENT VALUE

15,571,776

NET REALISATION

15,571,776

OUTLAY

ACQUISITION COSTS

Fixed Price	7,800,000		
Fixed Price (0.83 Acres @ 9,397,590.36 /Acre)		7,800,000	
			7,800,000

CONSTRUCTION COSTS

Construction	ft ²	Build Rate ft ²	Cost
Unit 1	10,500	140.00	1,470,000
Unit 2	10,500	140.00	1,470,000
Affordable work space	<u>2,100</u>	140.00	<u>294,000</u>

Totals	23,100 ft²		3,234,000	
Contingency		2.50%	80,850	
				3,314,850
Other Construction Costs				
Identified Risk Items			112,500	
				112,500
Municipal Costs				
MCIL	23,100 ft²	5.57	128,667	
Section 106 Allowance			20,000	
Affordable Workspace Payment			851,052	
				999,719
PROFESSIONAL FEES				
Professional Fees & Surveys			531,625	
				531,625
MARKETING & LETTING				
Marketing			75,000	
Letting Agent Fee		15.00%	121,275	
Letting Legal Fee		5.00%	40,425	
				236,700
TOTAL COSTS BEFORE FINANCE				12,995,394
FINANCE				
Debit Rate 7.500%, Credit Rate 0.000% (Nominal)				
Land			1,194,209	
Construction			163,262	
Letting			536,680	
Total Finance Cost				1,894,152
TOTAL COSTS				14,889,546
PROFIT				682,230

Performance Measures

Profit on Cost%	4.58%
Profit on GDV%	4.10%
Profit on NDV%	4.38%
Development Yield% (on Rent)	5.43%
Equivalent Yield% (Nominal)	4.75%
Equivalent Yield% (True)	4.89%
IRR% (without Interest)	9.88%
Rent Cover	10 mths
Profit Erosion (finance rate 7.500)	7 mths

Table 8.2: Affordable workspace payments in lieu

FORMULA FOR CALCULATING PAYMENTS IN LIEU

Step 1: $C = A \times B$

Step 2: $E = D \times C$

Step 3: $G = E \times F$

Step 4: $H = G - E$

Step 5: $J = I / I$

Step 6: $K = H \pm J$

A = Total lettable employment floorspace (square metres)

B = Percentage of floorspace to be discounted

C = Amount of floorspace subject to discount

D = Market rent per square metre before discount

E = Market rent for discounted floorspace before discount

F = Percentage discount

G = Rent after discount

H = Value of discount

I = Investment Yield

J = Income Multiplier

K = Capital value of discount

total rent £808,500
214.606

a	2146.0602
b	10%
c	214.60602
d	£376.74
e	£80,850.01
f	50%
g	£40,425.00
h	-£40,425.00
i	4.75%
j	21.0526316
k	-£851,052.71

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All representations will be made public along with the name of the person making the submission, all other personal information will be kept confidential. Following the conclusion of the Consultation, all responses that relate to the Proposed Main Modifications will be passed to the appointed Independent Inspectors for their consideration.

Title

Mrs

First Name

Rachel

Last Name

Power

Job Title

Partner

Organisation

Montagu Evans

Address

70 St Mary Axe, London

Post code

EC3A 8BE

E-mail Address

Telephone number

Part B (Use a separate sheet for each response)

Please note: Those responding to the consultation may only comment on the soundness of the proposed Main Modifications. There is no opportunity to comment on other aspects of the new Local Plan that do not correspond with a proposed Main Modification.

Reference:

MM [198 and MM199](#)

Comment: Why is the Main Modification unsound?

[See letter attached.](#)

Part C (Use a separate sheet for each response)

Please note: the Council is also inviting comments on the Lewisham Local Plan Additional Modifications Schedule (January 2025) and the Lewisham Local Plan Changes to the Submitted Policies Map (January 2025). These are outside the scope of the Examination. The Council will consider responses relating to these two documents and will be responsible and accountable for making these Additional Modification, or Proposed Changes to the Submitted Policies Map upon adoption of the Plan.

Reference:

AM/ PCSPM

Comment:

RP/ED/JOB002009

email: [REDACTED]

21 March 2025

Planning Service
London Borough of Lewisham
Laurence House
1 Catford Road
London
SE6 4RU

Submitted via email only to: localplan@lewisham.gov.uk

Dear Sir/Madam,

**LEWISHAM LOCAL PLAN
CONSULTATION ON PROPOSED MAIN MODIFICATIONS IN ACCORDANCE WITH SECTION 20(7C) OF THE
PLANNING AND COMPULSORY PURCHASE ACT (2004) (AS AMENDED)
RAVENSBOURNE RETAIL PARK, BROMLEY ROAD, CATFORD**

On behalf of our client, Royal London Mutual Insurance Society Limited ("RLMIS" / "the Client"), we write to submit representations to the consultation on the Lewisham Local Plan Proposed Main Modifications in relation to Ravensbourne Retail Park (the "Site").

These representations are in support of Site Allocation 22: Ravensbourne Retail Park and we endorse the Site's inclusion in the final Local Plan once adopted for the comprehensive, mixed-use development of the retail park comprising residential, main town centre and commercial uses. Notwithstanding this, we consider that there are necessary amendments to the Proposed Main Modifications ("MM") **MM198** and **MM199** relating to the site allocation in order to ensure the soundness of the Local Plan. The matters of soundness identified in these Representations relate specifically to:

- Unclear calculations relating to the proposed uplift in residential capacity
- Inclusions of a maximum height on frontages on Bromley Road which would seek to constrain the capacity of the site

This is a deliverable development site that can be brought forward in the medium to long term to deliver a successful residential-led redevelopment. RLMIS have engaged in pre-application discussions with the Lewisham Planning and Regeneration Teams since 2021 to discuss options for the redevelopment of this Site.

BACKGROUND

On behalf of RLMIS, Montagu Evans has been proactively engaged in the ongoing Lewisham Local Plan making process. Detailed representations were submitted on 9 April 2021 in response to the Lewisham Local Plan 'Main Issues and Preferred Approaches document' (Regulation 18), within which the Site was subject to a draft allocation, "*Emerging Allocation - Lewisham Central Area 18: Ravensbourne Retail Park*" which proposed the residential-led, mixed-use redevelopment of the Site.

Representations were submitted on 9 June 2022 by Montagu Evans in response to the consultation on the Lewisham Tall Buildings Study Addendum dated May 2022 with reference to the Site.

Further detailed responses were submitted on 25 April 2023 in response to Lewisham Local Plan 'Proposed Submission document' (Regulation 19), to support the Site's allocation in the final Local Plan under "*Site Allocation 22: Ravensbourne Retail Park*".

The London Borough of Lewisham ("Lewisham" / "the Council") submitted the draft Lewisham Local Plan to the Secretary of State for the purpose of Examination in Public ("EiP") on 3 November 2023. Shortly after the submission of the draft Lewisham Local Plan, the Government published the results of the 2022 Housing Delivery Test ("HDT") in December 2023. Lewisham's result was delivery of only 51% of their three year target. This poor performance in housing delivery has triggered the need for the Council to demonstrate an additional 20% buffer on top of the Borough's 5-year housing land supply requirement in the Local Plan.

The need to provide an uplift in housing supply across the Borough is reflected in the proposed Main Modifications. Proposed Main Modification Ref. MM45 seeks to increase the housing target from 27,730 to 30,376 over a 15 year period, which includes the annual housing target based on the London Plan, plus additional completions to account for the current backlog and the application of a 20% buffer during the first five years.

Since the publication of the Inspector's Post Hearings Letter in November 2024, the Government published further updated Housing Delivery Test ("HDT") figures in December 2024. Lewisham's updated result was 31%, a 20% decrease in housing delivery against housing targets since the publication of the 2023 figures. Paragraph 79 of the National Planning Policy Framework ("NPPF") states that "*where delivery falls below 75% of the requirement over the previous three years, the presumption in favour of sustainable development applies, as set out in footnote 8 of this Framework, in addition to the requirements for an action plan and 20% buffer.*"

In the context of this significant worsening of the under-delivery of housing over the previous 3 years and the presumption in favour of sustainable development, capacity on sustainable, previously developed sites should be maximised in order to meet the increased housing pressures in the borough and across London, consistent with the NPPF. This is outlined in London Plan Policy GG2 (Making the Best Use of Land) which promotes higher density development, particularly in locations that are well-connected to jobs, services, infrastructure and amenities by public transport, walking and cycling. The Site meets all of these criteria and can make a significant contribution to increased housing delivery to alleviate pressures exacerbated by historic under-delivery, beyond that envisaged in the proposed main modifications. This is discussed further in the sections below.

THE SITE

The Site is located circa 290m north of Bellingham Train Station. It falls outside the Bromley Road Strategic Industrial Land ("SIL") which is located adjacent to the north-western and southern boundaries. The Site also abuts residential development to the north-east, east and west. The Site itself covers an area of 2.71 hectares comprising units one to five of Ravensbourne Retail Park, along with the associated hardstanding car park.

The Site is well connected, with good access to public transport, which is reflected by its PTAL rating of 4.

The buildings on Site are not listed nor is the Site located in close proximity to any listed buildings. A small section of the eastern part of the Site falls within the Culverley Green Conservation Area.

PROPOSED MAIN MODIFICATION REF. MM198 (ALLOCATION 22 RAVENSBOURNE RETAIL PARK)

Strategic Importance of the Site

Draft Local Plan allocation 22 promotes the comprehensive, mixed-use development of Ravensbourne Retail Park comprising residential, main town centre and commercial uses. To support these uses, the allocation includes public realm and environmental enhancements, such as new public open space, landscaping and river restoration. RLMIS continues to support the draft uses in principle.

The proposed Main Modifications to the site allocation seek to revise the draft policy wording to identify the strategic status of the policy and the strategic objectives to which it relates. The proposed modifications to this part of the site allocation read as follows (additional wording underlined):

Strategic Objectives:

B Housing tailored to the community with genuinely affordable homes.

C A thriving local economy that tackles inequalities,

D A greener borough.

E Responding to the climate emergency.

F Celebrating our local identity,

G Healthy and safe communities.

H Securing the timely delivery of infrastructure

RLMIS is keen to ensure that its vision for the site positively contributes to these wider strategic Borough objectives, and also those of the GLA's London Plan. The Site is extremely well-placed to deliver new homes and job opportunities to contribute to the local economy, and delivery new green infrastructure as part of a sustainable development which promotes healthy and safe communities.

The strategic importance of the Site in delivering housing tailored to the community with the provision of genuinely affordable homes cannot be understated, particularly in the context of making a significant contribution towards the Council meeting its housing targets, which are proposed to be increased through the main modifications.

We therefore support the identification of the strategic nature of the policy and strategic objectives to which the site allocation relates.

Principle of Residential-led Development

We continue to support the principle of residential-led development of the Site. However, we reiterate our comments from our Regulation 19 consultation response that the Site is capable of being further optimised to boost the supply of new homes consistent with the National Planning Policy Framework ('NPPF'), specifically the requirement for "...strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously developed or 'brownfield' land" set out at Paragraph 124.

The Site is an exceptional residential location. It has excellent transport connectivity, local amenities and lack of competing development. Bellingham station is just a 6-minute walk from the site, with direct services to Central London in less than 30 minutes making it ideal for local working families.

Numerous public parks, schools and facilities are located nearby and the site already boasts an attractive green area separating the site from Bromley Road. The Ravensbourne River flows directly west of the site and residential redevelopment offers the opportunity to enhance the site's relationship to the river creating a valuable amenity for local

residents. The surroundings are primarily residential and would make an ideal neighbourhood for a flourishing new community. New residents would also benefit from their proximity to the amenities of Catford town centre. Therefore, it is ideally positioned to make the best use of previously developed land.

Principle of Residential-led Development

As a result of the results of the 2022 Housing Delivery Test ("HDT") in December 2023, the Council are required to demonstrate an additional 20% buffer on top of the Borough's 5-year housing requirement.

The Council have undertaken an assessment to identify how a 20% buffer and housing delivery backlog can be incorporated within revised housing targets at this late stage of the plan-making process. The updated analysis published in 'Additional Housing Supply Background Paper' dated May 2024 proposes an uplift to the indicative residential capacity of the Site from 367 to 461 units (an uplift of 94 units).

We welcome the Council revisiting their Local Plan housing targets to meet the required 20% buffer. However, the Government published further updated HDT figures in December 2024. Lewisham's latest HDT result is 31%, a 20% decrease in housing delivery against housing targets since the publication of the 2023 figures.

Given that the HDT figures for Lewisham is substantially below the requirement over recent years, it is clear that the potential increases in residential capacity on allocated sites outlined in the Additional Housing Supply Background Paper may not go far enough to address historic under-delivery.

When reviewing the potential uplift in housing supply that could be accommodated within the site allocation, the Additional Housing Supply Background Paper states that the methodology set out in the Residential Density Technical Paper was used. Whilst this method would equate to indicative capacity for 523 homes (i.e. 156 additional homes), **the indicative capacity of the allocation has been revised to only reflect 60% of the additional 156 units to be delivered during Years 1-5 of the Plan period (94 units in total). There is no clear justification as to why only 60% of the additional capacity has been added to the site allocation, and therefore the soundness of this calculation is questioned. The 60% approach does not seem to have been applied to other site allocations.**

Using a standardised approach to the calculation of the potential uplift in site capacity does not take into account the optimal development of the Site which is ultimately be determined through a contextual approach as part of the detailed design process, as required through London Plan Policy D3 (Optimising site capacity through the design-led approach). Whilst we acknowledge that the Lewisham Site Allocations Background Paper 2023 (EB 15) states that the indicative capacities should not be read prescriptively, a massing and capacity study has been undertaken by architects Patel Taylor for the site which has informed pre-application discussions with the Council and included within the Regulation 19 Representations submitted on behalf of RLMIS.

This study demonstrates that the Site can comfortably deliver circa 680 residential units (circa 251 dwellings per hectare), alongside up to approx. 500 sqm of town centre uses at the lower levels. The massing of this scheme has been informed by initial Sunlight/Daylight testing, along with analysis of the surrounding townscape and heritage constraints, neighbouring buildings and an assessment of the public realm and amenity space.

In the context of increasing pressure on Lewisham to deliver additional housing over the Plan period, whilst the uplift in indicative homes under the proposed main modifications is welcomed, we consider that there is a clear need for the draft allocation to further optimise the Site to maximise the quantum of market and affordable homes than can be delivered. The massing and capacity study prepared by Patel Taylor demonstrates that the Site can comfortably accommodate further intensification within an acceptable layout and massing and therefore the revised indicative capacity of 461 residential units remains significantly below the quantum of housing that could be delivered on the site to meaningfully contribute to Lewisham's housing supply.

Therefore, the proposed modifications under ref. MM198 should be amended to update the indicative residential capacity of the site allocation to a *minimum* of 680 homes, in order to be sound.

Building Heights

We support the inclusion of the Site within a 'Tall Building Suitability Zone' within the draft Local Plan and support building heights of 10-12 storeys on the Site as appropriate to accommodate additional homes.

Proposed Main Modification Ref. MM199 seeks to amend the wording of supporting paragraph 14.122 of the draft Local Plan to clarify how the design of future development on the Site will ensure that new building heights take account of the wider townscape and the adjoining Culverley Green Conservation Area. The revised proposed wording reads as follows (proposed changes underlined):

5. Taller buildings that help with way finding along the A21 corridor may be acceptable, with development stepping up from Bromley Road. The frontage of any new development should not exceed six storeys in height. Taller elements should be positioned towards the centre of the site to manage and mitigate impacts on amenity, including overshadowing, on the surrounding residential areas. Proposals should seek to optimise the capacity of the site allocation without harming the setting of the adjoining Culverley Green Conservation Area. The vertical intensity of proposals should be designed to step new development upwards to appropriate heights across and into the centre of the site.

Whilst the inclusion of additional wording to ensure that the site allocation is optimised without harming the setting of the adjoining Culverley Green Conservation Area is supported, we consider the restriction of heights along the frontage to six storeys to be overly prescriptive as it does not allow sufficient flexibility to determine final heights through a detailed assessment of proposals against the criteria contained within draft Policy QD4 of the Lewisham Local Plan and Policies D3 and D9 of the London Plan. This could ultimately result in limitations on the site capacity, which conflicts with the Main Modification to increase the number of homes delivered on the site.

In order to be found sound, we therefore request that the wording "the frontage of any new development should not exceed six storeys in height" is removed from the proposed modifications to reflect that appropriate heights at the frontage of any new development will be determined through a detailed assessment of proposals against relevant planning policies, with regard to the maximum building heights of 10-12 storeys listed in Schedule 12 of the draft Local Plan.

Timescales for Delivery

RLMIS have a clear aspiration to bring forward the delivery of the scheme in a timely manner to meet Lewisham's revised housing targets and wish to work collaboratively with the Council to achieve this. It should be noted that current retail leases on the retail units do not end until 2030.

The proposed modifications seek to strike out the delivery of housing on the Site in Years 1-5. The updated housing trajectory published as part of the Main Modifications consultation outlines that 314 units will be delivered in Year 6 (30/31) and 147 units in Year 7 (31/32) of the Plan period.

The Client considers that the proposed timescales for delivery of homes is therefore consistent with the proposed Main Modifications in this regard.

CONCLUDING REMARKS

These representations are submitted on behalf of RLMIS in respect of Ravensbourne Retail Park.

RLMIS believe that this Site has the potential to deliver a high-quality, residential-led development and aspire to deliver this in collaboration with the Council. We support the Site's inclusion in the final Local Plan and wish to re-iterate that sustainable, previously developed sites such as this one should be optimised in order to meet the increased housing pressures in the borough and across London, consistent with the NPPF.

However, as explained within this letter, we consider that the following amendments are required to ensure soundness of the Proposed Modifications:

Proposed Main Modification Ref. MM198 (Allocation 22 Ravensbourne Retail Park)

- The indicative net residential capacity should be increased further from 461 units to 680 units

Proposed Main Modification Ref. MM199 (Development Guidelines)

- The wording "*The frontage of any new development should not exceed six storeys in height*" should be removed from supporting paragraph 14.122

By way of this letter, we reserve the right to comment on further rounds of consultation on behalf of our Client. In the meantime, should you wish to discuss any of the above please do not hesitate to contact either Rachel Power

[REDACTED] or Emily Disken [REDACTED]

487) in the first instance.

Yours faithfully,

[REDACTED]

Rachel Power
Partner
Montagu Evans LLP

Consultation on the Proposed Modifications in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 Regulation 24 – Standard Response Template

This form has two parts

Part A – Personal details to be completed once

Part B – Your response(s) to the Proposed Main Modifications.

Part C – Your response(s) to the Proposed Additional Modifications and/ or Proposed Changes to the Submitted Proposals Map

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

Part A – Personal Details

All representations will be made public along with the name of the person making the submission, all other personal information will be kept confidential. Following the conclusion of the Consultation, all responses that relate to the Proposed Main Modifications will be passed to the appointed Independent Inspectors for their consideration.

Title

First Name

Last Name

Job Title

Organisation

Address

Post code

E-mail Address

Telephone number

Part B (Use a separate sheet for each response)

Please note: Those responding to the consultation may only comment on the soundness of the proposed Main Modifications. There is no opportunity to comment on other aspects of the new Local Plan that do not correspond with a proposed Main Modification.

Reference:

MM

Comment: Why is the Main Modification unsound?

Part C (Use a separate sheet for each response)

Please note: the Council is also inviting comments on the Lewisham Local Plan Additional Modifications Schedule (January 2025) and the Lewisham Local Plan Changes to the Submitted Policies Map (January 2025). These are outside the scope of the Examination. The Council will consider responses relating to these two documents and will be responsible and accountable for making these Additional Modification, or Proposed Changes to the Submitted Policies Map upon adoption of the Plan.

Reference:

AM/ PCSPM

Comment:

Kabir, Konoya

From: SM-NE-Consultations (NE) <consultations@naturalengland.org.uk>
Sent: 25 March 2025 14:55
To: LocalPlan
Subject: FAO Strategic Planning Team REF: Local Plan - Main Modifications
Attachments: Natural England Local Plan Advice Note Feb 24.pdf

Our Ref: 502767

Your Ref: Local Plan – proposed Main Modifications

Dear Sir or Madam

Thank you for your consultation request, dated and received by Natural England on 13th February 2025

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England has no comments to make on this Lewisham LBC Local Plan Consultation on Proposed Main Modifications

However, please find attached Natural England's Local Plan Advice Note.

The lack of comment from Natural England should not be interpreted as a statement that there are no impacts on the natural environment. Other bodies and individuals may wish to make comments that might help the Local Planning Authority (LPA) to fully take account of any environmental risks and opportunities relating to this document.

If you disagree with our assessment of this proposal as low risk, or should the proposal be amended in a way which significantly affects its impact on the natural environment, then in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, please consult Natural England again.

Yours faithfully

Sharon Jenkins

Natural England
Consultation Service
Natural England, County Hall, Spetchley Road, Worcester, U.K., WR5 2NP
Email: consultations@naturalengland.org.uk
www.gov.uk/natural-england



We strongly recommend using the **SSSI Impact Risk Zones (SSSI IRZs)** to decide when to consult Natural England on development proposals that might affect a SSSI. The SSSI IRZs tool is quick and simple to use

and gives instant planning advice as a formal consultation response in certain circumstances and can reduce unnecessary delays in the planning process.

Natural England offers two chargeable services - the Discretionary Advice Service, which provides pre-application and post-consent advice on planning/licensing proposals to developers and consultants, and the Pre-submission Screening Service for European Protected Species mitigation licence applications. These services help applicants take appropriate account of environmental considerations at an early stage of project development, reduce uncertainty, the risk of delay and added cost at a later stage, whilst securing good results for the natural environment.

For further information on the Discretionary Advice Service see [here](#)

For further information on the Pre-submission Screening Service see [here](#)

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Natural England Advice Note – Local Plans

February 2024

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development. This advice note sets out the natural environment issues that Natural England consider should be incorporated in Local Plans to take forward relevant policies of the National Planning Policy Framework.

Information on consulting Natural England on plans and development proposals is set out in [Planning and transport authorities: get environmental advice on planning - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/planning-and-transport-authorities-get-environmental-advice-on-planning)

		<u>NPPF paragraph</u>
The Spatial Development Strategy		
Vision and Objectives	The Plan should include the natural environment in its long-term vision and objectives for the plan area. These should be based on local characteristics and circumstances and include locally specific goals for nature recovery and enhancement, supported by policies and proposals in the plan.	8(c), 20(d), 123, 181
The spatial strategy and allocating land for development	<p>In setting an overall strategy to guide development and allocate land the Plan should:</p> <ul style="list-style-type: none"> • conserve and enhance the natural environment, including landscapes and green infrastructure (GI) • make as much use as possible of previously developed or 'brownfield' land • allocate land with the least environmental or amenity value. <p>It should be recognised that some previously developed land is important for biodiversity as it can contain the open mosaic habitats (<u>dataset</u>), a priority habitat.</p>	11, 32, 89, 123, 124(b)(c), 181, 181, 172, 186(a), 187, 188, 191
Biodiversity and Geodiversity		
Designated sites	The Plan should include policies and proposals to protect and enhance biodiversity, including designated nature conservation sites (internationally, nationally and locally designated sites of importance for biodiversity). The direct and indirect impacts of	181, 186(a)(b)(c), 187, 188

	<p>proposed development on designated should be considered, including impacts on water quality and the impacts on air quality from increased traffic, intensive agriculture or industrial developments.</p> <p>The Plan should identify and map local wildlife sites and include appropriate policy for their protection and enhancement, reflecting their role in the wider ecological network and for nature recovery.</p> <p>Criteria-based policies to guide development should include application of the mitigation hierarchy and how the direct, indirect and cumulative impacts of development on designated sites will be addressed.</p> <p>Further information on designated sites is at Designated Sites View (https://designatedsites.naturalengland.org.uk/). Natural England's Impact Risk Zones (IRZ) on MAGIC maps (www.magic.defra.gov.uk) identify potential development impacts.</p> <p>In some Plan areas strategic mitigation solutions may exist or be desirable to address the cumulative impacts of development on designated sites e.g. recreational pressures or nutrient impacts. Where this is the case further advice should be sought from Natural England and robust evidence will be needed to support any strategic approach.</p>	and Glossary
Irreplaceable Habitats including ancient woodland and ancient and veteran trees	<p>The Plan should protect irreplaceable habitats (including ancient woodland and ancient and veteran trees) from loss or deterioration and seek their enhancement wherever possible. Further advice can be found in Natural England's standing advice- Ancient woodland and veteran trees: protecting them from development.</p>	186(c), Glossary
Biodiversity Net Gain (BNG)	<p>The Plan should identify and pursue opportunities for securing measurable net gains for biodiversity. This should include setting a percentage target level of provision of at least 10% net gain, higher targets should be supported by evidence. The Plan should also set out the BNG strategy including:</p> <ul style="list-style-type: none"> • requirements for on-site and off-site provision • identifying priority opportunities of strategic significance (habitats and areas) for BNG, for instance through mapping ecological networks 	180(d), 185(b), 186(d)

	<ul style="list-style-type: none"> advising on the metric to use to calculate gains, for example the most up to date version of Defra's Biodiversity Metric. <p>The Plan should also aim to achieve wider environmental gains, going beyond BNG, to include wider natural capital benefits such as improved water and air quality and recreation. Natural England's Environment Benefits from Nature tool can help identify opportunities.</p>	
Nature recovery	<p>The Plan should include policies and proposals for nature recovery. It should recognise the potential of a connected network of wildlife-rich habitats to improve biodiversity. For instance the protection and recovery of priority species and habitats and supporting habitats outside designated sites for protected species. Consideration should be given to wider benefits such as carbon capture, flood risk management and enhanced access to nature.</p> <p>The Plan should map local ecological networks, including buffers and wildlife corridors and set out policies and proposals to safeguard and enhance the network, including contributions through development where appropriate. These could draw on Local Nature Recovery Strategies where available.</p>	8(c), 185(a)(b), Glossary
Priority species and habitats	<p>The Plan should protect and enhance priority habitats and species. This should include appropriate protection and restoration of deep and shallow peatlands, found in fen and bog priority habitats that are valuable for biodiversity and as a carbon store. Other priority habitats include upland and lowland heathland, traditional orchards, meadows, woodlands and coastal habitats.</p> <p>Details can be found on the Joint Nature Conservation Committee website and on MAGIC maps (www.magic.defra.gov.uk)</p>	185(b), Glossary
Geodiversity	The Plan should make explicit reference to geological conservation (including protection for geological SSSIs and local geological sites) and the need to conserve, interpret and manage geological sites and features in the wider environment.	180, 175
Landscape		
Designated landscapes	The Plan, including site allocations, should give great weight to conserving and enhancing designated landscapes (National Parks, The Broads and National Landscapes (Areas of Outstanding Natural Beauty). This should reflect their natural beauty and special qualities (as identified in their Management	20(d), 180, 182, 183

	<p>Plans). Policies should help in furthering the statutory purposes of designated landscapes. Policies can be informed by landscape character and sensitivity assessments.</p> <p>The scale and extent of development should be limited in these areas. The Plan should consider both the direct and indirect impacts of development on the designated landscape and its setting.</p> <p>Policy should guide any development in these areas to meet the highest standards of design and environmental quality and seek opportunities to enhance the landscape and improve access to nature.</p> <p>The Plan should set out a definition of major development to guide the determination of planning applications against the 'major developments test.'</p> <p>Policy should also consider how development will be managed in the setting of a designated landscape, with development being sensitively located and designed to avoid or minimise adverse impacts.</p>	
Wider landscapes	<p>The Plan should include policies and proposals for conserving and enhancing the landscape.</p> <p>The Plan should identify, protect and enhance locally valued landscapes, informed by landscape character assessments.,</p> <p>Policies for development in or adjacent to rural areas and urban fringe should ensure they reflect the character of the countryside, as well as seeking opportunities for enhancement and improved access to nature.</p> <p>Local design codes and guides can set out how development can respond to and enhance landscape character.</p>	129, 135(c), 180(a)(b)
Heritage Coasts	<p>Where relevant, the Plan should identify and include policy protection for defined Heritage Coasts, to retain and enhance their special character</p>	184
Light Pollution and Tranquillity	<p>The Plan should include a policy to reduce light pollution. Lighting can be harmful to wildlife and undermine enjoyment of the countryside or night sky, especially in intrinsically dark landscapes, such as protected landscapes and nature reserves.</p> <p>Where appropriate the Plan should identify areas of tranquillity and include policies to protect them.</p>	191 (b)(c)

Green infrastructure, open space, access and design		
Green Infrastructure (GI)	<p>GI is a network of multi-functional green and blue spaces and other natural features that can deliver a wide range of benefits for people, places and nature. Plans should consider the role of GI strategically throughout the plan area as well as links to adjoining areas. The Plan should address unequal access to natural green space and the needs of different user, age, and socio-economic groups.</p> <p>The Plan should set out a clear vision for delivering GI, including identification of deficiencies in provision and opportunities for new and enhanced GI. Plans can be supported by a GI strategy.</p> <p>GI policy should support and align with other natural environment policies, such as those on sustainable drainage systems, biodiversity, access, active travel and open space protection and enhancement.</p> <p>Plans can make use of the Natural England's Green Infrastructure Framework (GIF) to help prepare a GI evidence base that can support policies, site allocations and local design codes. Specific guidance for plan-makers is provided in the GI Process Journeys.</p> <p>The Green Infrastructure Map can be used to identify inequalities in access to greenspace and plan for new GI. The GI standards can be applied locally in policies and design codes.</p>	20(d), 96,167(c)
Open Space and Local Green Space	<p>The Plan evidence base should include a robust and up-to-date assessment of open space requirements and opportunities, with policies and proposals to remedy deficiencies in greenspace provision, including through land allocation.</p> <p>In assessing greenspace provision, consideration should be given to the quality and accessibility of space, as well as the various uses that may need separate provision such as children's play space, opportunities for connecting with nature, formal sports areas and facilities for groups with a variety of needs.</p> <p>Open space provision can use Natural England's Accessible Greenspace Standards to determine needs based on size, proximity capacity and quality.</p> <p>The Plan should identify, designate and have policies to protect and enhance areas of Local Green Space that are of particular importance to local communities.</p>	88(d), 97(a), 102, 103, 105-107

Public Rights of Way and access	<p>The Plan should have policies to maintain and improve access to nature and enjoyment of the countryside. Policies should be in place to protect and enhance public rights of way, access land and national trails, including the England Coast Path.</p> <p>Policies should provide for better connections and address unequal access to nature to support health and well-being outcomes. The design of new or improved routes should consider a range of modes of access including walking, cycling and horse riding, as well as a range of users including children and older people, different socio-economic groups and people with disabilities.</p>	104
Design	<p>Local design codes or guides should be used to support plan policies to deliver high quality development that responds to and enhances local character and distinctiveness, incorporating nature and GI.</p> <p>Natural England's GI Design Guide provides details of what good GI design looks like. The guide is linked to the ten characteristics of well-designed places set out in the National Model Design Code and the National design guide. Landscape and townscape character assessments can also inform good design.</p>	132, 133
Green Belt	<p>Plan policies and proposals should positively enhance land within the Green Belt. This should include compensatory improvements to environmental quality and accessibility of remaining Green Belt where land is removed from the Green Belt.</p> <p>Green Belt land can often be degraded 'urban fringe' landscapes. Therefore, there will be opportunities to 'green' the Green Belt and deliver environmental benefits such as landscape enhancement, habitat creation and enhancement and improved access to nature.</p>	147, 150, 151
Agricultural Land and Soils		
Best and Most Versatile agricultural land	<p>The Plan should contain policies to protect Best and Most Versatile (BMV) agricultural land (Grades 1, 2, 3a). Policies should avoid the loss of BMV land. The Plan should recognise that development has an irreversible adverse impact on the finite national stock of BMV land.</p> <p>Any development proposed on BMV land should be informed by a detailed soil survey. .</p>	180(b)

Sustainable management of soils	<p>The Plan should have a policy for the protection of and sustainable management of soils on development sites. This should set out mitigation measures to minimise soil disturbance and retain as many ecosystem services as possible through careful soil management during the construction process and appropriate soil re-use. The Plan should recognise that development (soil sealing) has a major and usually irreversible adverse impact on soils. The impact of all types of development on soils should be considered.</p> <p>Healthy soils are not only important for agriculture, but soils with high environmental value (e.g. wetland carbon stores such as peatland and low nutrient soils) are also important to ecological connectivity. Development should be supported by soils surveys and management plans - see Defra's Code of Practice for the sustainable use of soils on construction sites.</p>	180(a)
Coast		
Coastal Change	<p>Where relevant, the Plan should consider the implications of coastal change and opportunities for nature and improved access. The Shoreline Management Plan should be used to inform the evidence base for the Plan.</p> <p>Coastal Change Management Areas should be identified with appropriate policies set out for development and to manage the change. Policies should reflect and enhance the character of the coast and maintain the route of the England Coast Path. Opportunities for enhancing biodiversity, landscapes and access to nature should also be secured.</p>	14, 20(b), 176, 177, 178, Glossary
Marine environment	Where relevant, the Plan should have policies in place to ensure effective alignment of the terrestrial and marine planning regimes, for instance in plan areas on estuaries or areas with tidal rivers. This should include reference to the relevant marine plan.	176
Climate Change		
Climate Change	<p>The Plan should contain policies to mitigate and adapt to climate change impacts on the natural environment.</p> <p>The Plan should recognise that climate change mitigation and adaptation and biodiversity loss are interlinked. Many habitats provide essential ecosystem services to allow adaptation to climate change e.g. natural flood management, as well as mitigation e.g. through tree planting and retaining peat as a carbon store. Policies should set out appropriate nature-based</p>	11(a), 20(d), 158 and Glossary

	<p>solutions for climate mitigation and adaptation such as woodland or wetland creation or peatland restoration.</p> <p>Policies should address water use, promoting the use of sustainable drainage systems (SuDS) and water sensitive design as part of a wider green infrastructure approach. In areas of known water constraint, plans should include policies to manage available resources, such as water efficiency or water reuse measures.</p> <p>Consideration also needs to be given to the likely impacts of climate change on protected sites, habitats and species.</p> <p>See the Climate Change Adaptation Manual, Carbon Storage and Sequestration by Habitat and National biodiversity climate change vulnerability model.</p>	
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Site Allocations

The strategy for allocating land for development should:

- avoid protected sites and apply the biodiversity mitigation hierarchy (NPPF 180a)
- give great weight to conserving and enhancing designated landscapes
- avoid the loss of best and most versatile agricultural land.

Selecting sites and setting design principles for their delivery should conserve and enhance the natural environment. This includes considering potential impacts and opportunities set out in the table above, as well as the issues set out in the table below secured through planning policy.

Evidence	<p>An appropriate evidence base should be used to support the selection of sites and inform the policies for their delivery. This should include:</p> <ul style="list-style-type: none"> • Landscape and Visual Impact Assessments, Landscape Sensitivity Assessments and Landscape Character Assessments. • Soil surveys and mapping (Agricultural Land Classification available on Magic maps) • ecological surveys, green infrastructure and biodiversity opportunity mapping.
Assessments	<p>Site selection must also be informed by the relevant environmental assessments. These are:</p> <ul style="list-style-type: none"> • Sustainability Appraisal incorporating Strategic Environmental Assessment: it should be clear how this has informed and provided justification for the sites selected for allocation assessed against reasonable alternatives. Recommendations and findings from the assessments should also be used to inform mitigation measures and design principles for the allocated sites.

	<ul style="list-style-type: none"> • Habitats Regulations Assessment: mitigation and avoidance measures identified through the HRA should be secured through policies in the Plan. Where mitigation or avoidance is not possible the site should not be allocated.
Environmental requirements	<p>Plans should set requirements, opportunities and detailed design guidance for site allocations to conserve and enhance the natural environment. This should include measures secured through policy covering:</p> <ul style="list-style-type: none"> • BNG: This could include specifying whether and what BNG should be delivered on-site given the scale of development anticipated, or if off-site provision will be required. Site allocations should be supported by a baseline assessment of biodiversity value for example using the latest version of Defra's Biodiversity Metric. • GI strategy: Allocations should set out measures to protect, enhance and improved connectivity of GI within and beyond allocation sites. Consideration should also be given to setting appropriate GI standards for allocation sites. • Landscape features: Allocation policy should incorporate and enhance existing landscape features within the development This could include hedgerows, walls, ancient and veteran trees, woodland and wildlife corridors. • Agricultural land and soils: Allocations should be based on a detailed soils survey and have policies should secure a soil management plan. • Access: Policies for allocations should incorporate and enhance public access to the natural environment. This includes Public Rights of Way that run through or adjacent to allocated sites, as well as linking from the site to the wider route network.

PROPOSED MAIN MODIFICATION – CONSULTATION RESPONSE

POLICY QD4, PART B, REFERENCE: MM17

March 2025

- 1.1 Deptford Bridge (RER Deptford Bridge) Ltd (“RER”) are the owner of the Former Lewisham College at Deptford Church Street (the “Site”) and are in the process of applying for planning permission for the Site.
- 1.2 This consultation representation in respect of Policy QD4 is written further to and must be read in conjunction with the legal opinion of [REDACTED] KC (dated 21 November 2024) and RER’s previous correspondence with the London Borough of Lewisham (“LBL”) in relation to Policy QD4, namely:
- 1.2.1 letters from DP9 to David Syme (Head of Strategic Planning, London Borough of Lewisham) dated 21 November 2024 and 9 December 2024 (copied to the Programme Officer) enclosing a legal opinion prepared by Rupert Warren KC;
- 1.2.2 a letter from Pinsent Masons LLP to the Local Plan Team (London Borough of Lewisham) and to the Programme Officer dated 27 November 2024;
- 1.2.3 a letter from Pinsent Masons LLP to the Local Plan Team (London Borough of Lewisham) dated 7 February 2025,
- (further copies of these documents are submitted alongside this consultation response).
- 1.3 RER acquired the Site at the end of May 2024 and consequently had no opportunity to make representations on the draft Local Plan during the Regulation 18 or Regulation 19 consultations, nor was it in a position to participate in the examination hearing sessions that commenced in June 2024.
- 1.4 RER do not believe it is LBL’s intention to restrict the development of tall buildings solely to Tall Building Suitability Zones (as set out in paragraphs 5 and 79 of LBL’s Urban Design and Heritage Response dated 28 January 2024). However, RER considers that further Main Modifications must be made to Policy QD4 in order to address internal inconsistencies, legal compliance and conformity issues and avoid the risk of challenges being brought to the Local Plan once adopted.
- 1.5 In the proposed Main Modifications issued by LBL an amendment to Part B of Policy QD4 has been proposed to add the word “generally” to the Policy. RER consider that this proposed Main Modification of Part B of Policy QD4 is helpful. However, RER considers that this amendment alone is insufficient to address the obvious internal inconsistency between Part B and D of Policy QD4 and the resulting lack of conformity with London Plan Policy D9 with Part D currently stating:
- D Development proposals for tall buildings will only be permitted where they are in a Tall Building Suitability Zone, align with the appropriate height ranges set out above and it is demonstrated that the development...*
- 1.6 If left unamended Part D of Policy QD4 will result in:
- 1.6.1 an inconsistency between Part B and D of Policy QD4, as Part D is expressed to apply *only* to buildings within Tall Building Suitability Zones, whereas Part B, through the introduction of the word “generally” permits the development of “tall” buildings outside of Tall Building Suitability Zones; and

1.6.2 a lack of conformity of Part D of Policy QD4 with Policy D9 of the London Plan, as Part D of Policy QD4 is expressed to apply *only* to buildings within Tall Building Suitability Zones, which again is inconsistent with Policy D9 which provides that similar criteria are intended to apply to *all* tall building proposals, irrespective of whether they are in an area designated as being suitable for tall buildings or not. Thus, the current proposed formulation of QD4 is in contradiction with High Court’s reasoning and decision in London *Borough of Hillingdon, R(On the Application Of) v Mayor of London* [2021] EWHC 3387 (Admin) which confirms the correct interpretation of Policy D9.

1.7 Consequently, RER requests that LBL must request that the Inspector recommends further modifications to the Policy QD4 in order to achieve internal consistency and legal compliance in accordance with section 20(7C) and section 24(1) of the Planning and Compulsory Purchase Act 2004.

1.8 If this non-conformity is not addressed, the draft Local Plan (on adoption) will be at risk of legal challenge. At the very least it will create significant uncertainty throughout the plan period as applicants and decision-makers are required to reconcile the deliberate and fundamental flexibility inherent in Policy D9 (as confirmed by the High Court) with the more restrictive and inflexible requirements of Policy QD4.

2. MINIMUM AMENDMENT REQUIRED – DRAFT POLICY QD4

2.1 As a minimum, the wording of Part D requires further modification to be sound, through the introduction of the word “generally” so that Part D of Policy QD4 would read as follows:

D Development proposals for tall buildings will generally only be permitted where they are in a Tall Building Suitability Zone, align with the appropriate height ranges set out above and it is demonstrated that the development... (new text)

2.2 This amendment would ensure consistency between Part B and D of Policy QD4 and address the lack of conformity with Policy D9 by ensuring the tall building considerations set out in Part D apply regardless of whether the building is located within a Tall Building Suitability Zone.

3. PREFERRED AMENDMENT – DRAFT POLICY QD4

3.1 RER also remain of the opinion that further amendments and additional wording is required to Part B of Policy QD4 for consistency and to ensure that it is clear that all tall buildings, whether in a tall building zone or not, would be subject to the criteria in Parts D, E and F of Policy QD4.

3.2 RER’s proposed wording of Parts B and D of Policy QD4 is outlined below:

B Tall buildings should only be developed in locations identified as appropriate for tall buildings on the Policies Map (i.e. Tall Building Suitability Zones). Development proposals for tall buildings outside of these zones will generally be resisted. All tall buildings will be required to demonstrate that they meet parts D, E and F of the policy.

[...]

D Development proposals for tall buildings will generally only be permitted where they are in a Tall Building Suitability Zone, align with the appropriate height ranges set out above and it is demonstrated that the development... (new text; deletions)

3.3 Policy QD4, including the proposed updated wording outlined at paragraph 3.2 above, is set out at Appendix 1 to this consultation response.

4. CONCLUSION

4.1 The amendments to Policy QD4 set out paragraph 3.2 above are necessary to prevent a finding of inconsistency once the Lewisham Draft Local Plan is adopted; remove the risk of a legal challenge to the

adoption of the plan on the basis of lack of general conformity and ensure that there is no ongoing doubt over the continuing applicability of D9 of the London Plan in Lewisham.

APPENDIX 1

QD4 Building heights

- A Tall buildings are substantially taller than their surroundings and cause a significant change to the skyline. Within Lewisham Tall Buildings are defined as buildings which are 10 storeys or 32.8 meters measured from the ground level to the top of the building (including any rooftop equipment), or greater. Development proposals for tall buildings will be assessed against and must comply with London Plan policy D9 (Tall buildings) and the following:
- B Tall buildings should **only** be developed in locations identified as appropriate for tall buildings on the Policies Map (i.e. Tall Building Suitability Zones). Development proposals for tall buildings outside of these zones will **generally be resisted. All tall buildings will be required to demonstrate that they meet parts D, E and F of the policy. (deletion; new text)**
- C Within those locations identified as appropriate for tall buildings, the maximum height of buildings shall not normally be more than:
- a. 80.8 meters (25 storeys) to 151.2 meters (48 storeys) in Deptford / North Deptford
 - b. 52.0 meters (16 storeys) to 112.8 meters (35 storeys) in Lewisham Town Centre
 - c. 39.2 meters (12 storeys) to 64.8 meters (20 storeys) in Catford
 - d. 64.8 meters (20 storeys) to 96.8m (30 storeys) in Deptford Creekside
 - e. 32.8 meters (10 storeys) to 48.8 meters (15 storeys) in New Cross and New Cross Gate
 - f. 32.8 meters(10 storeys) to 39.2 meters (12 storeys) in Bellingham and Lee Green
 - g. 39.2 meters (12 storeys) to 52.0 meters (16 storeys) in Lower Sydenham / Bell Green proposed opportunity area.
- Refer to figures 5.3 to 5.10 for further details.
- D Development proposals for tall buildings will **generally** only be permitted where they are in a Tall Building Suitability Zone, align with the appropriate height ranges set out above and it is demonstrated that the development: **(deletion; new text)**
- a. Will contribute to delivery of, and is not at odds with, the spatial strategy for the Borough;
 - b. Is of an exceptionally good design and architectural quality;
 - c. Is sensitive to the site's immediate and wider context with reference to Figure 5.2 (Tall Building Sensitivity Plan), including the distinctiveness of Thames Policy Area in line with Policy LNA4 (Thames Policy Area and Deptford Creekside);
 - d. Will not result in any unacceptable adverse visual, functional, environmental and cumulative impacts, with reference to the requirements of London Plan policy D9 (Tall Buildings);
 - e. Will make a positive contribution to the townscape and skyline;
 - f. Will not adversely impact on strategic and local views, vistas and landmarks, including strategic background views, with reference to Policy QD5 (View management);
 - g. Will preserve or enhance the significance of heritage assets and their setting; and
 - h. Provides a high quality public realm in line with Policy QD3 (Public realm and

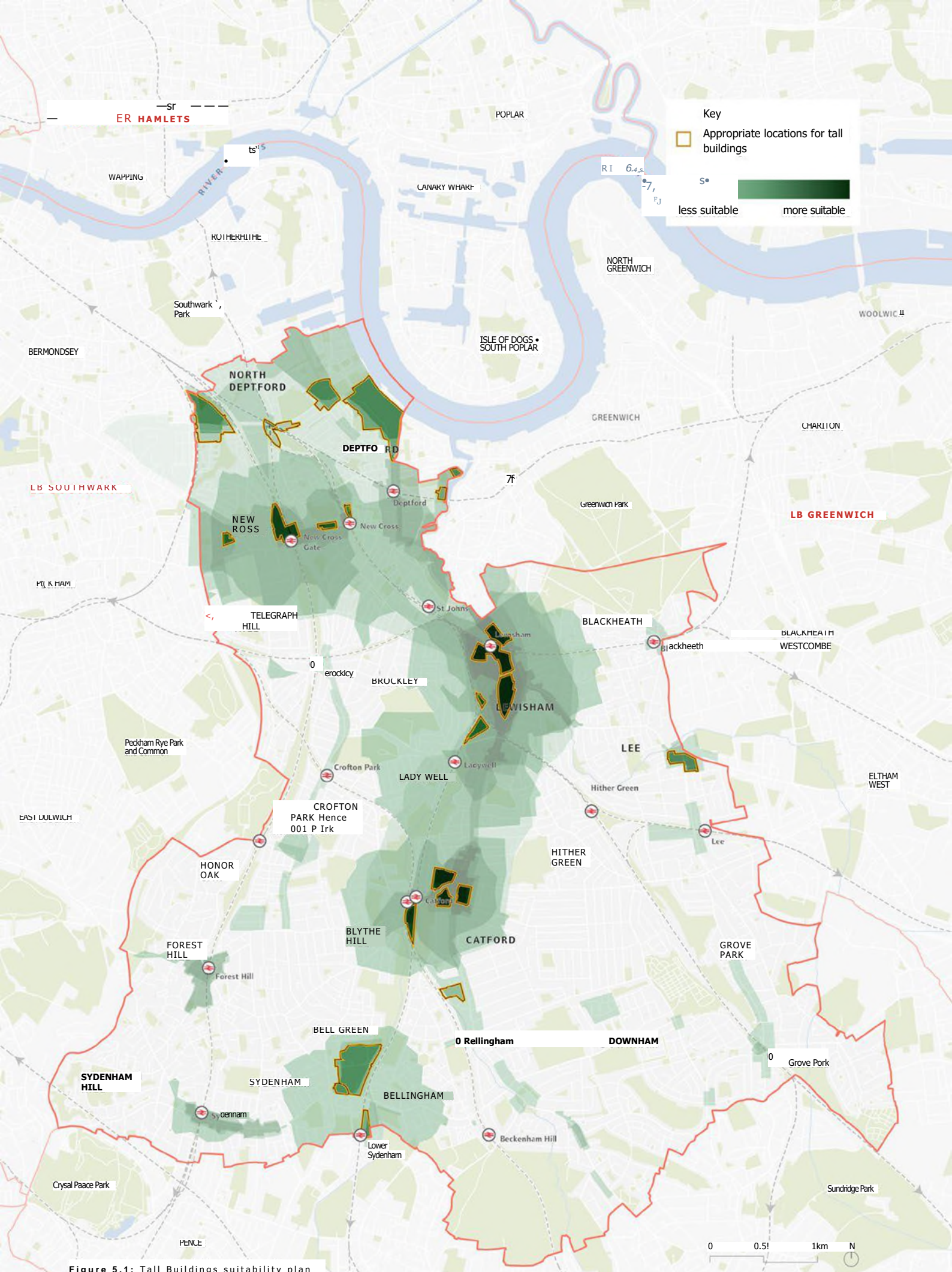
connecting places). Where appropriate, development will be required to make provision for free to enter, publicly-accessible areas that are incorporated into the building.

- E Development proposals for tall buildings should incorporate sensitively designed measures to ensure public safety at height such as barriers, rails and anti-climb equipment. These must be considered as part of the overall design-led approach and contribute positively to the skyline.
- F Tall buildings must be delivered through a masterplan process in order to ensure that they are appropriately located, designed to a high quality standard and effectively managed over the lifetime of the development. The requirements for masterplans are set out in Policy DM4 (Masterplans and comprehensive development).



.....

.....



Explanation

- 5.29 In order to deliver the spatial strategy and meet local needs, such as for new housing, workspace and community facilities, it is imperative that development proposals optimise the capacity of sites. Well-designed and sensitively integrated, higher density development that responds positively to its local context can support Good Growth. Higher density development can be achieved through a wide range of site layouts and building forms and does not necessarily require tall or taller buildings.
- 5.30 Tall and taller buildings are prominent features that can have significant impacts on the London skyline, the character of townscapes and local neighbourhoods as well as the amenity of the population and natural environment. Buildings that are appropriately located and well-designed can help people to navigate through the Borough by providing reference points for wayfinding and emphasising the hierarchy of places. However where tall and taller buildings are inappropriately located and poorly designed they can have detrimental impacts. These impacts may include disruption to established views and vistas or landmarks, harm to heritage assets and their setting, disturbance to the character and visual amenity of streetscapes and townscapes, and the introduction of microclimate conditions such as wind tunnels. Poorly designed buildings can also adversely impact on community safety as well as the mental and physical health and wellbeing of the population.
- 5.31 Development proposals for taller buildings must demonstrate a clear understanding of, and respond positively to, the site context including heritage assets, their setting and the historical pattern of development. The reference point for the prevailing height of buildings will vary on a case-by-case basis, even within a neighbourhood. Not all existing tall or taller buildings will be appropriate references for new development. For example, some tower blocks built in the 1960s and 1970s detract from the historic character and townscape features within a neighbourhood and are therefore not suitable reference points. The cumulative impact of tall or taller buildings within a site or locality will also be an important consideration. Applicants are encouraged to refer the Lewisham Characterisation Study (2019) and where relevant Conservation Area Appraisals, Supplementary Planning Documents and Area Frameworks to develop an understanding of the site context. Design and Access Statements should clearly set out what features of the built and natural environment have been used as reference points to inform the development design and building heights.

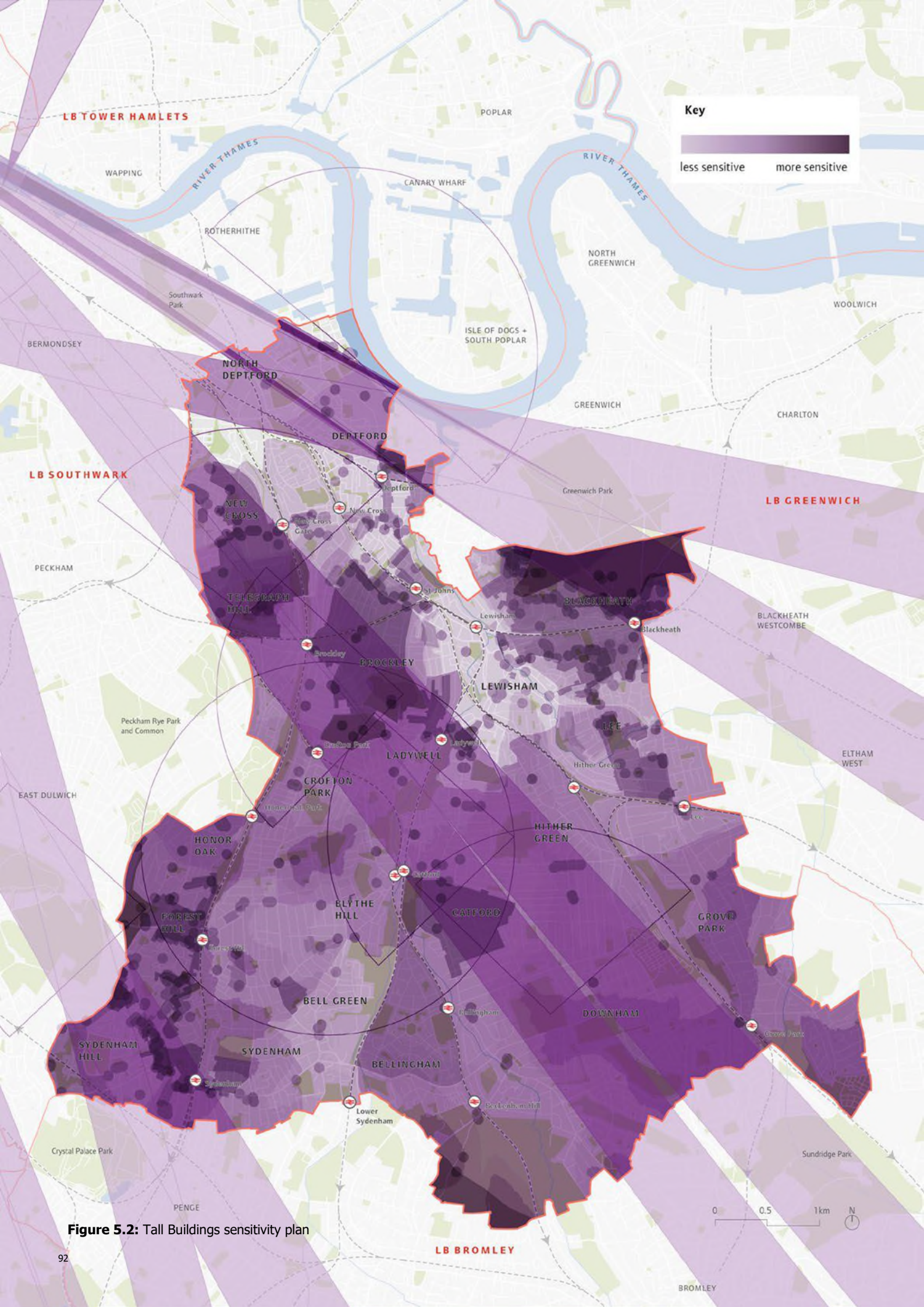


Figure 5.2: Tall Buildings sensitivity plan

5.32 There may be locations where the prevailing heights of buildings are expected to evolve over time. For instance, there are areas within Lewisham where the spatial strategy provides in-principle support for the sensitive intensification of neighbourhoods, including through the comprehensive redevelopment of sites. This includes Growth Corridors, Opportunity Areas, Growth Nodes and Regeneration Nodes. Furthermore, there may be consented developments that establish new land use and design principles and which will influence the existing character of a site or area once implemented.

5.33 The London Plan provides that tall buildings will play a role in supporting Good Growth across London. It directs the Local Plan to identify locations where tall buildings may be an appropriate form of development and to set a local definition for tall buildings⁴³. This policy helps give effect to the London Plan. The Policies Map designates Suitability Zones for tall buildings (also shown in **Figure 5.1**, **Figure 5.3 to Figure 5.10** and **Table 21.12**). This must be read together with part C of the policy above which provides the recommended maximum building heights. The zones and heights have been informed by the Lewisham Characterisation Study (2019), Lewisham Tall Buildings Study (2020) and Tall Buildings Study Addendum (2022). Whilst Suitability Zones have been identified this does not mean that tall buildings are automatically acceptable within them or that the maximum building heights are appropriate in every instance. Although maximum heights are provided for each for the Tall Building Suitability Zones, proposals will still be expected to include robust design justifications for the heights proposed, including testing in key views.

⁴³ London Plan (2021) policy D9 (Tall buildings) provides that tall buildings should not be less than 6 storeys or 18 metres measured from ground to the floor level of the uppermost storey.

5.34 Development proposals will be considered on a case-by-case basis taking into account their impacts on an individual site level and cumulatively in combination with other existing, consented and planned tall and taller buildings. Impacts include those in the building's immediate vicinity, surrounding area and elsewhere in London. Development proposals should refer the Tall Building Sensitivity Plan (**Figure 5.2**) early in the design-led approach to understand site-specific sensitivities and development constraints. The Council will normally employ the use of graphic 3D modelling to assess development proposals, such as enabled by VU.CITY software, and applicants will be required to submit technical information to support this analysis.

5.35 Development proposals for tall buildings will also be assessed in accordance with London Plan policy D9 (Tall buildings). Proposals must include a sufficient level of information to demonstrate that potential impacts have been suitably identified and adequately addressed. Development proposals will be refused where

they will result in an unacceptable visual, functional, environmental and/or cumulative impact. Development proposals for building heights that depart from the parameters set by the Local Plan will be considered having regard to relevant material considerations. In such circumstances a wider public benefit must be demonstrated to justify the design of the development.

5.36 The Maritime Greenwich World Heritage Site, Thames Policy Area and London View Management Framework views are important considerations for tall and taller buildings. There are riverside locations within the Borough that have been identified as being potentially sensitive to tall buildings⁴⁴. The Maritime Greenwich World Heritage Site Buffer Zone is considered inappropriate for tall buildings. Tall buildings can also adversely impact on biodiversity and developments should therefore be appropriately sited and designed to avoid shading or casting light spill on Sites of Importance for Nature Conservation.

⁴⁴ Important Views and Tall Buildings: Maritime Greenwich, A World Heritage Site. Greenwich World Heritage Site Coordinator. 2006.

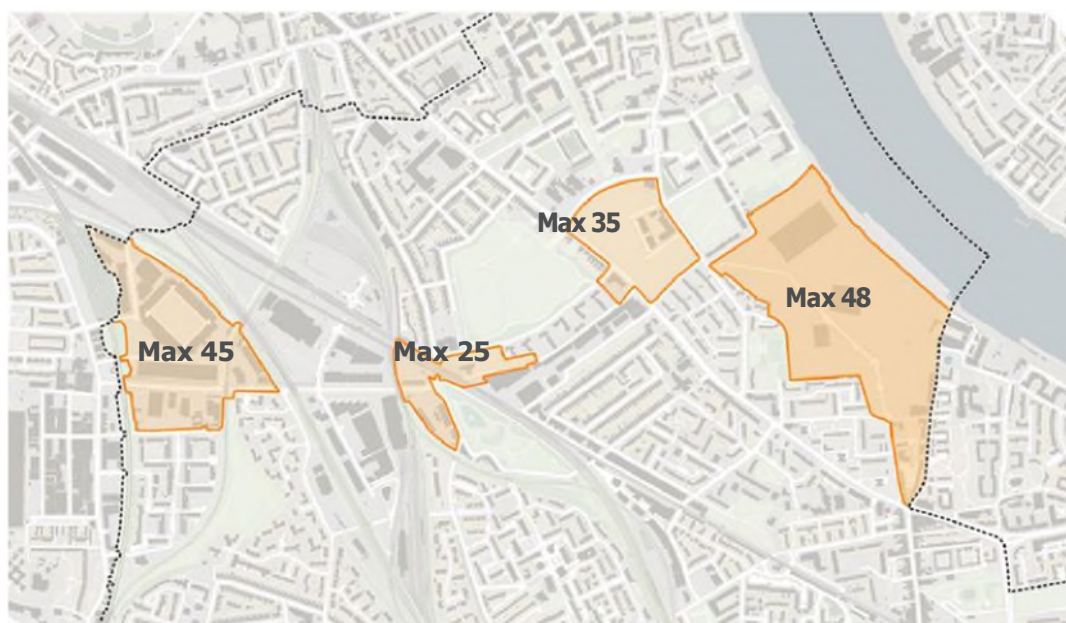


Figure 5.3: North Deptford tall building suitability zones



Figure 5.4: Deptford Creekside tall building suitability zones



Figure 5.5: Lewisham tall building suitability zones

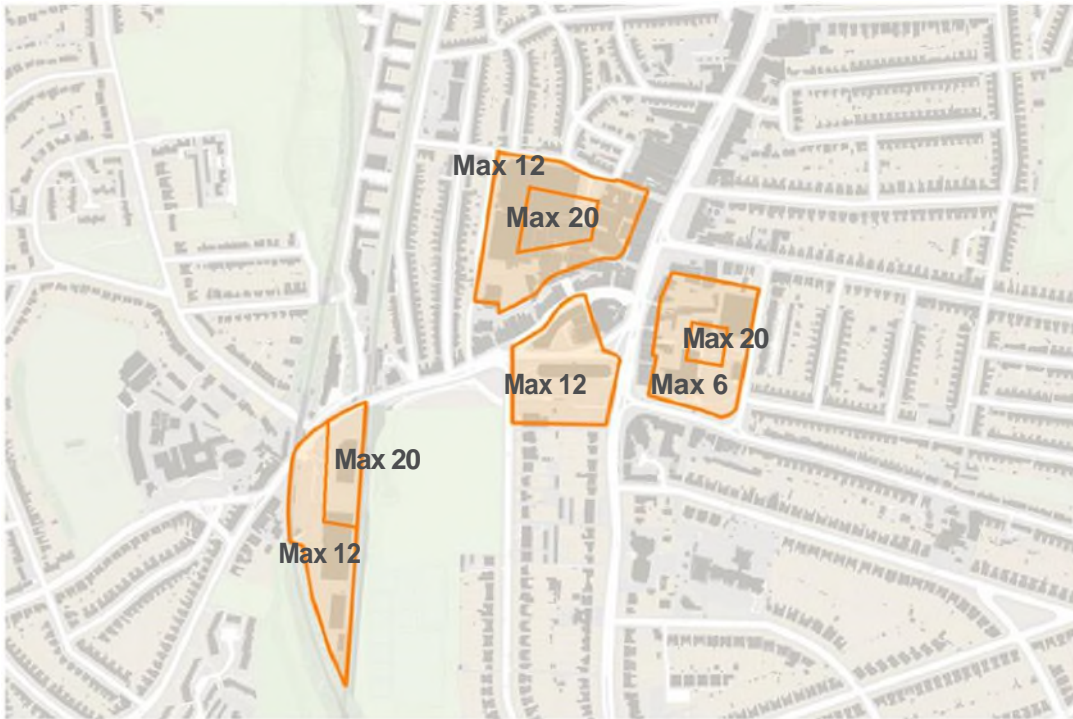


Figure 5.6: Catford tall building suitability zone



Figure 5.7: New Cross and New Cross Gate tall building suitability zones



Figure 5.8: Bellingham tall building suitability zone

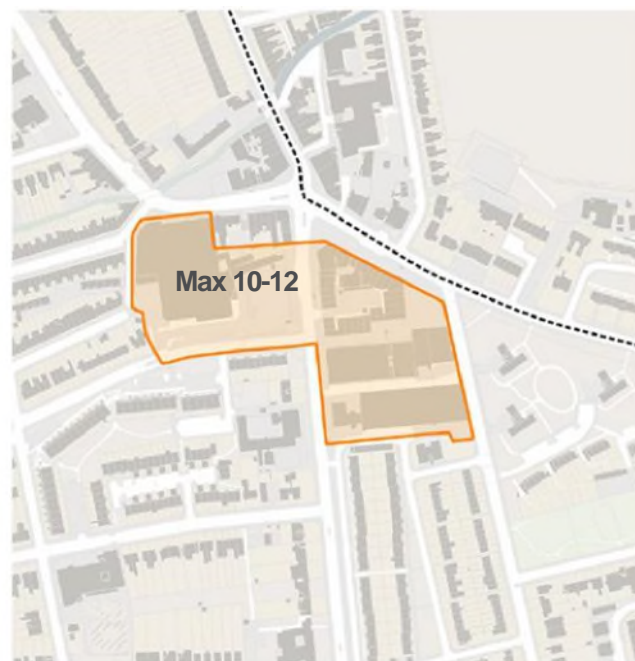


Figure 5.9: Lee tall building suitability zones

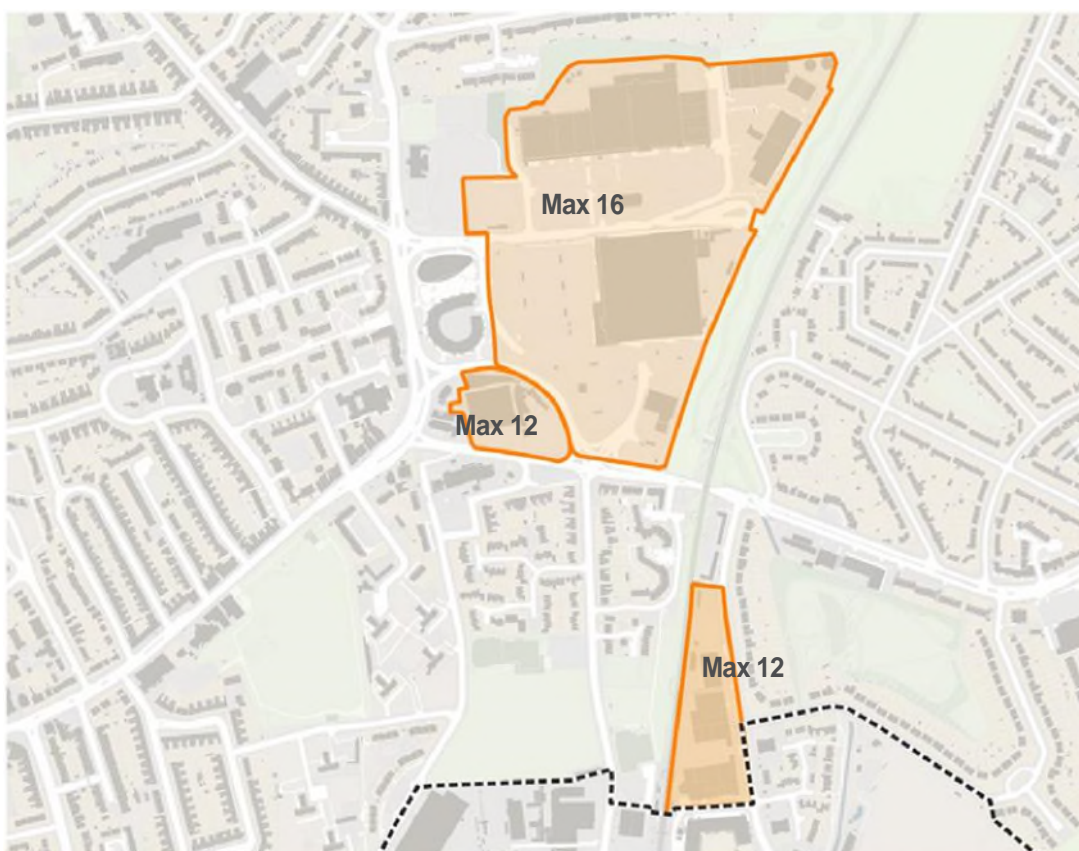


Figure 5.10: Bell Green / Lower Sydenham tall building suitability zone

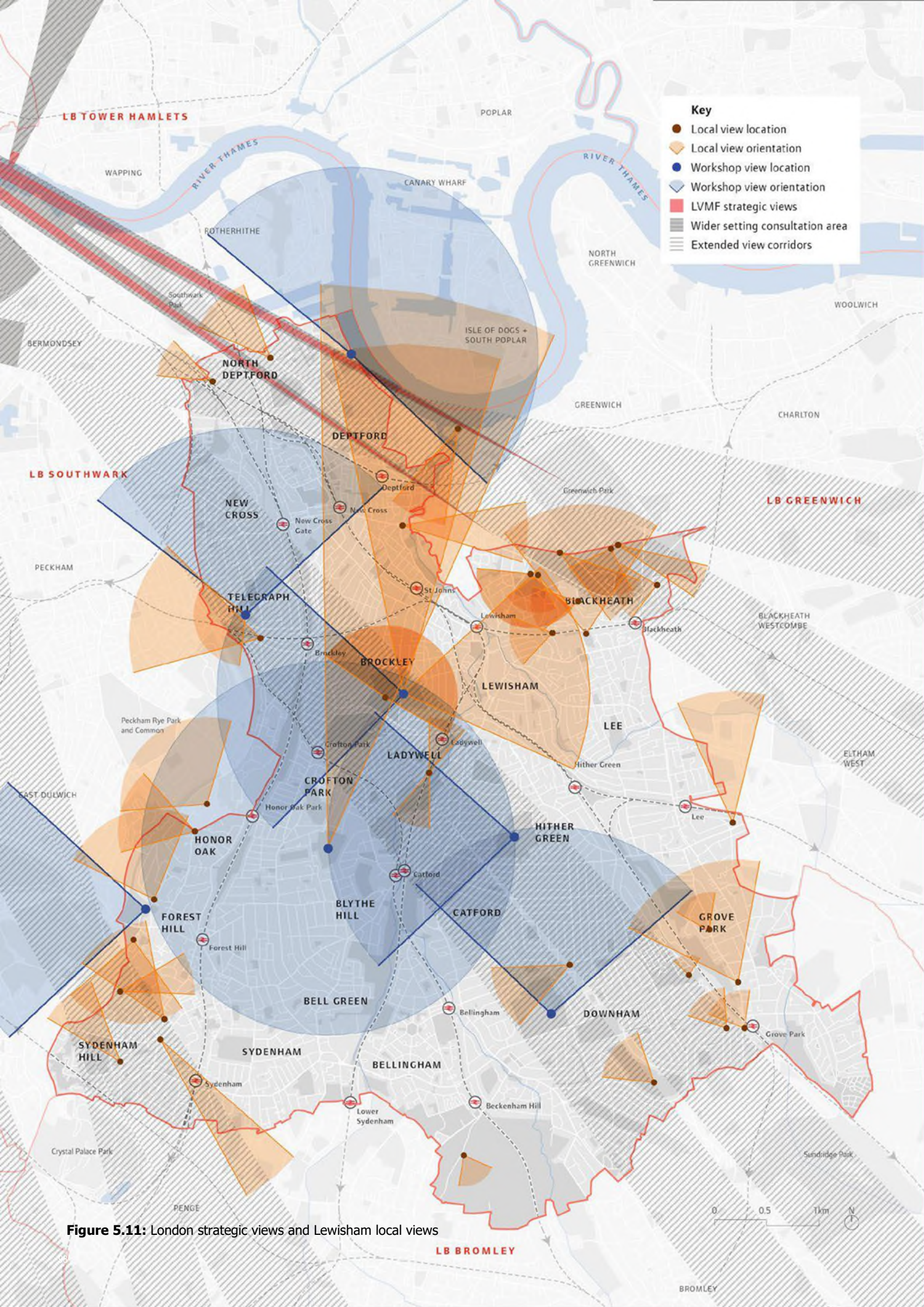


Figure 5.11: London strategic views and Lewisham local views

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JHM/DP6809

21 November 2024

██████████
Strategic Planning Manager
London Borough of Lewisham

BY EMAIL

Dear ██████████

Regulation 19 Draft Lewisham Local Plan

I write in relation to the above and our recent discussions in relation to Policy QD4.

As you know, RER Deptford Project Management Limited ('RER') are currently in pre-application discussions with the London Borough of Lewisham ('LBL') and The Royal Borough of Greenwich ('RBG') in respect of redevelopment of the Former Lewisham College, Deptford Church Street. The site represents a windfall site for the purposes of the adopted and emerging Local Plan. It is brownfield land in a highly accessible location (PTAL 6a). LBL and RBG support housing on the site as do planning policies at every level. Further, LBL accept that the site should be optimised in accordance with the requirement of London Plan Policy D3 and that tall buildings are appropriate on the site.

We are suggesting changes to Policy QD4 of the Draft Local Plan amid our concerns that as currently drafted the policy is not in accordance with London Plan Policy D9 in that it does not provide sufficient flexibility to support tall buildings outside of defined tall building locations. From our discussions, we understood that LBL were intending to put forward a change under Part B of Policy QD4 to add the word 'generally'. You also asked for any observations we may have on the wording of Policy QD4 and our wording is set out below:

"B

Tall buildings should [only] be developed in locations identified as appropriate for tall buildings on the Policies Map (i.e. Tall Building Suitability Zones). Development proposals for tall buildings outside of these zones will generally be resisted. All tall buildings will be required to demonstrate that they meet parts D, E and F of the policy.

[...]

D



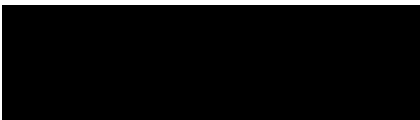
Development proposals for tall buildings will generally only be permitted where they are in a Tall Building Suitability Zone, align with the appropriate height ranges set out above and it is demonstrated that the development ...”.

It is not clear from Examination papers whether LBL’s modified wording to Policy QD4 was presented at Examination by LBL. RER has since taken legal advice from Rupert Warren KC on draft Policy QD4 and a copy of the Opinion is attached. The Opinion concludes that the wording of Policy QD4 as currently written is inconsistent with Policy D9 of the London Plan and requires modification in order to be in general conformity with it. The Opinion considers that as a minimum the insertion of the word ‘generally’ is required in Part B as suggested by LBL but considers that the wider change suggested by DP9 (as above) should also be brought into the policy by modification.

We would be grateful if you could consider the Opinion and the above and confirm how LBL intends to modify Policy QD4. We have copied in the Programme Officer and the GLA for information.

We look forward to hearing from you.

Yours sincerely



Jonathan H Marginson
Senior Director
DP9 Ltd.

enc.

cc



Ian Kemp, Programme Officer for Lewisham Local Plan

BY E-MAIL

Local Plan Team
London Borough of Lewisham
localplan@lewisham.gov.uk

Your Ref
Our Ref: 152769477.1\707336.07000

Inspectors Mulloy and Bust
c/o Programme Officer Ian Kemp
ian@localplanservices.co.uk

27 November 2024

Dear Lewisham Local Plan Team and Inspectors

LEWISHAM LOCAL PLAN - POLICY QD4

We act for RER Deptford Project Management Limited ("**RER**") in respect of the proposed redevelopment of the Former Lewisham College at Deptford Church Street (the "**Site**").

We have been instructed to write to you in order to set out RER's concerns regarding the impacts of Policy QD4 in the draft Lewisham Local Plan if it is adopted in its current form. We write further to the letter sent by DP9 to David Syme (Strategic Planning Manager, London Borough of Lewisham) on 21 November 2024 (copied to the Programme Officer) enclosing a legal opinion prepared by Rupert Warren KC. RER considers that main modifications must be made to Policy QD4 in order to address legal compliance issues and avoid the risk of challenges being brought to the Local Plan once adopted.

As noted in DP9's letter, RER is currently in pre-application discussions with the London Borough of Lewisham ("**LBL**") and the Royal Borough of Greenwich regarding the redevelopment of the Site. RER acquired the Site earlier this year and consequently had no opportunity to make representations on the draft Local Plan during the Regulation 18 or Regulation 19 consultations, nor was it in a position to participate in the hearing sessions that commenced in June 2024.

However, RER and its consultant team have carried out a detailed review of the draft Local Plan and have identified that draft Policy QD4 is not currently in general conformity with Policy D9 of the London Plan 2021, as required by section 24(1) of the Planning and Compulsory Purchase Act 2004. The inconsistency between the two policies is explained in detail in Mr Warren KC's opinion (at paragraph 24 in particular) and we do not propose to repeat his analysis. The upshot is that RER considers that Policy QD4 is not legally compliant as drafted and consequently LBL

Pinsent Masons LLP

30 Crown Place Earl Street London EC2A 4ES

T +44 (0) 20 7418 7000 F +44 (0) 20 7418 7050 DX 157620 Broadgate

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must request that the Inspectors recommend main modifications to the policy in order to achieve legal compliance in accordance with section 20(7C) of the 2004 Act.

If this non-conformity is not addressed the draft Local Plan will be at risk of legal challenge. At the very least it will create significant uncertainty throughout the plan period as applicants and decision-makers are forced to attempt to reconcile the deliberate and fundamental flexibility inherent in Policy D9 (as confirmed by the High Court in the Master Brewer decision¹) with the more restrictive and inflexible requirements of Policy QD4.

It is noted that the Greater London Authority (“GLA”) issued a letter on 25 April 2023 which set out the Mayor of London’s view on the general conformity of the Regulation 19 draft Lewisham Local Plan with the London Plan 2021. In respect of Policy QD4, the GLA stated amongst other things that:

“Policy QD4 is clear that tall buildings should only be developed in areas identified as suitable for tall buildings on the Policies Map. These locations are identified as ‘Tall Building Suitability Zones’ and the policy makes it clear that proposals for tall buildings outside of those areas will be resisted. It is noted and welcomed that this requirement is consistent with Policy D9B of the LP2021.”

A similar position is maintained in the Statement of Common Ground entered into between the GLA and LBL in which the GLA state that they consider Policy QD4 to be in general conformity with Policy D9.

However, nowhere in the GLA’s letter nor the Statement of Common Ground is there any express consideration of if and how Policy QD4 is consistent with the true meaning of Policy D9, as confirmed by the High Court. As you will be aware, the correct interpretation of planning policy is not a matter of planning judgement but a question of law. The High Court held that Policy D9 does not impose a ‘gateway’ requirement such that a development proposal *must* be located within a site designated as being suitable for tall buildings in order to comply with Policy D9 as a whole. Furthermore, the tall building considerations set out in Part D of Policy QD4 are expressed to apply only to buildings within Tall Building Suitability Zones, which again is inconsistent with Policy D9 which provides that similar criteria are intended to apply to *all* tall building proposals, irrespective of whether they are in an area designated as being suitable for tall buildings (again as confirmed by the High Court).

If the intention of LBL was to make Policy QD4 more onerous and restrictive than Policy D9 we would expect this to have been clearly explained and justified; that it has not been suggests that the inconsistency between the two policies is entirely inadvertent and has not been fully considered and understood to date.

We understand that there has been some discussion of this point between LBL and the RER team in recent weeks, and LBL proposed the following amendment in order to address the concern:

“B Tall buildings should only be developed in locations identified as appropriate for tall buildings on the Policies Map (i.e. Tall Building Suitability Zones). Development proposals for tall buildings outside of these zones will generally be resisted.” (new text)

However, as explained in DP9’s letter and Mr Warren KC’s opinion, whilst this amendment is helpful and begins to introduce more flexibility along the lines of that inherent within Policy D9, there are further amendments which should be made to significantly enhance the conformity

¹ *R (London Borough of Hillingdon) v Mayor of London* [2021] EWHC 3387 (Admin)



between the two policies. We would therefore endorse the following amendments that have previously been proposed by DP9 on behalf of RER:

“B. Tall buildings should ~~only~~ be developed in locations identified as appropriate for tall buildings on the Policies Map (i.e. Tall Building Suitability Zones). Development proposals for tall buildings outside of these zones will generally be resisted. All tall buildings will be required to demonstrate that they meet parts D, E and F of the policy.

[...]

D. Development proposals for tall buildings will generally only be permitted where they are in a Tall Building Suitability Zone, align with the appropriate height ranges set out above and it is demonstrated that the development...” (new text; deletions)

We entirely agree with Mr Warren KC's conclusions that these amendments are necessary to “prevent a finding of inconsistency once the plan is adopted; remove the risk of a legal challenge to the adoption of the plan on the basis of lack of general conformity [...] and ensure that there is no ongoing doubt over the continuing applicability of D9 in Lewisham.”

We acknowledge that in due course RER will be provided with a formal opportunity to participate in the public consultation on the main modifications that the Inspectors and LBL are currently considering following the conclusions of the hearings. However, given the fundamental importance of Policy QD4, the implications of non-conformity with Policy D9 and the relative ease with which that non-conformity could be avoided, RER wishes to ensure that the Inspectors and LBL are made aware of its position as soon as possible in order to ensure that the point can be properly considered before main modifications are published for consultation in due course.

Yours faithfully

Pinsent Masons LLP

Cc:  (Strategic Planning Manager, London Borough of Lewisham)

JHM/ DP6809

9 December 2024

██████████
Head of Strategic Planning
London Borough of Lewisham

BY EMAIL: ██████████

Dear David

DRAFT LOCAL PLAN – POLICY QD4

Thank you for your email 28 November 2024 in relation to the above and our subsequent conversation.

We welcome the introduction of the word ‘generally’ into Part B of Policy QD4 and consider this to be a positive change to ensure Policy QD4 is sound. However, for the reasons we set out in our letter of 21 November 2024, and Pinsent Masons letter dated 27 November 2024, we do not consider the change sufficient to address the lack of conformity with Policy D9 of the London Plan.

Part D of Policy QD4 remains inconsistent with Part B (as now proposed to be modified) by stating that “Development proposals for tall buildings will only be permitted where they are in a Tall Building Suitability Zone”. The wording of Part D requires further modification to be sound, as we recommended in our letter of 21 November 2024 to introduce the word “generally” so that Part D of Policy QD4 would read as follows:

D. Development proposals for tall buildings will generally only be permitted where they are in a Tall Building Suitability Zone, align with the appropriate height ranges set out above and it is demonstrated that the development...” (new text; deletions)

We also remain of the opinion that further amendments and additional wording is required to Part B for consistency and to ensure that it is clear that all tall buildings, whether in a tall building zone or not, would be subject to the criteria in parts D, E and F of Policy QD4. Our proposed wording was set out in our letter of 21 November 2024:

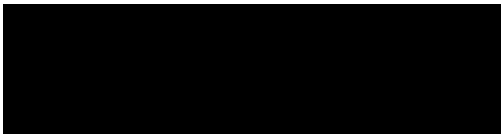
“B. Tall buildings should only be developed in locations identified as appropriate for tall buildings on the Policies Map (i.e. Tall Building Suitability Zones). Development proposals for tall buildings outside of these zones will generally be resisted. All tall buildings will be required to demonstrate that they meet parts D, E and F of the policy.” (new text; deletions)



We remain of the opinion that Policy QD4 requires further modification to ensure it is consistent and in conformity with London Plan Policy D9. We do not believe it is the intention of Policy QD4 to prevent the development of tall buildings outside tall buildings zones but as currently worded Policy QD4 is open to such an interpretation.

We would welcome further discussion with you on this if that would be helpful. We will be submitting representations to the Proposed Modifications in due course when they are published. Unless further main modifications are made to Policy QD4, our representations will advocate that Policy QD4 is not in conformity with London Plan Policy D9 as required by law.

Yours sincerely



Jonathan H Marginson
Senior Director
DP9 Ltd.

cc. Local Plan Team, London Borough of Lewisham localplan@lewisham.gov.uk
Inspectors Mulloy and Bust c/o Programme Officer Ian Kemp ian@localplanservices.co.uk



BY E-MAIL

[REDACTED]
Head of Strategic Planning
London Borough of Lewisham
Lewisham Town Hall
Rushey Green
Catford
SE6 4RU

Your Ref
Our Ref: 153881277.4\707336.07000

DDI +44 20 7418 8223

E [REDACTED]

7 February 2025

Dear Lewisham Local Plan Team and Local Plan Inspector

LONDON BOROUGH OF LEWISHAM DRAFT LOCAL PLAN - POLICY QD4 REQUIRED AMENDMENT

1. EXECUTIVE SUMMARY

- 1.1 We write further to our letter dated 27 November 2024 and continue to advise Deptford Bridge (RER Deptford Bridge) Ltd ("**RER**") on matters relating to the Lewisham Draft Local Plan.
- 1.2 The proposed amendment by London Borough of Lewisham ("**LBL**") to Part B of Policy QD4 to add the word "generally" to the Policy alone is insufficient to address:
- 1.2.1 the obvious internal inconsistency between Part B and D of Policy QD4 (as explained in detail below at paragraph 4.4.1); and
- 1.2.2 the resulting lack of conformity of Part D of Policy QD4 with Policy D9 of the London Plan (as explained in detail below at paragraph 4.4.2).
- 1.3 As a minimum, the wording of Part D requires further modification to be sound, as recommended in DP9's letter of 21 November 2024, through the introduction of the word "generally" as set out at paragraph 5.1 below.
- 1.4 This amendment would ensure consistency between Part B and D of Policy QD4 and address the lack of conformity with Policy D9 by ensuring the tall building considerations set out in Part D apply regardless of whether the building is located within a Tall Building Suitability Zone.

Pinsent Masons LLP

30 Crown Place Earl Street London EC2A 4ES

T +44 (0) 20 7418 7000 F +44 (0) 20 7418 7050 DX 157620 Broadgate

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1.5 Further amendments and additional wording is required to Part B of Policy QD4 for consistency (as set out at paragraph 6.2) and to ensure that it is clear that all tall buildings, whether in a Tall Building Suitability Zone or not, would be subject to the criteria in Parts D, E and F of Policy QD4.

1.6 Without such amendments QD4 would be inconsistent with and not in conformity with London Plan Policy D9.

2. **BACKGROUND**

2.1 We act for RER in respect of the proposed redevelopment of the Former Lewisham College at Deptford Church Street (the “**Site**”) and generally in relation to the Lewisham Draft Local Plan.

2.2 Further to the agreement by LBL of a revised examination timetable following the adoption of the Local Development Scheme Update on 29 January 2025, we have been instructed to write to you to set out RER’s continuing and serious concerns regarding the proposed wording of Policy QD4 in the Lewisham Draft Local Plan if it is adopted in its current form. We write further to the letters sent by:

2.2.1 DP9 to David Syme (Head of Strategic Planning, London Borough of Lewisham) on 21 November and 9 December 2024 (copied to the Programme Officer) enclosing a legal opinion prepared by Rupert Warren KC; and

2.2.2 Pinsent Masons LLP to the Local Plan Team (London Borough of Lewisham) and to the Programme Officer on 27 November 2024.

(we attach further copies of these documents)

2.3 This letter should be read in the context of those previous documents and, in particular, Rupert Warren KC’s legal opinion.

2.4 RER acquired the Site at the end of May 2024 and consequently had no opportunity to make representations on the draft Local Plan during the Regulation 18 or Regulation 19 consultations, nor was it in a position to participate in the hearing sessions that commenced in June 2024.

2.5 RER do not believe it is LBL’s intention to restrict the development of tall buildings solely to Tall Building Suitability Zones (as set out in paragraphs 5 and 79 of LBL’s Urban Design and Heritage Response dated 28 January 2024)¹. However, RER considers that main modifications must be made to Policy QD4 in order to address legal compliance and conformity issues and avoid the risk of challenges being brought to the Local Plan once adopted.

3. **RELEVANT POLICY BACKGROUND**

3.1 **London Plan – Policy D9**

3.1.1 London Plan Policy D9 provides that:

“Policy D9 Tall buildings

¹ Paragraph 5, “[w]hilst it is acknowledged that the site could accommodate tall buildings”; and paragraph 79: “[w]hile the site is not allocated for tall buildings, it has the potential to accommodate them”.



Definition

- A *Based on local context, Development Plans should define what is considered a tall building for specific localities, the height of which will vary between and within different parts of London but should not be less than 6 storeys or 18 metres measured from ground to the floor level of the uppermost storey.*

Locations

B

1) Boroughs should determine if there are locations where tall buildings may be an appropriate form of development, subject to meeting the other requirements of the Plan. This process should include engagement with neighbouring boroughs that may be affected by tall building developments in identified locations.

2) Any such locations and appropriate tall building heights should be identified on maps in Development Plans.

3) Tall buildings should only be developed in locations that are identified as suitable in Development Plans.

Impacts

- C *Development proposals should address the following impacts ...”*

3.2 Part C of Policy D9 sets out an extensive set of criteria against which to assess the merits of proposed tall buildings.

3.3 Lewisham Draft Local Plan – Draft Policy QD4

Part B – Original Wording

- 3.3.1 The original wording of Part B of Policy QD4 was as follows:

B *Tall buildings should only be developed in locations identified as appropriate for tall buildings on the Policies Map (i.e. Tall Building Suitability Zones). Development proposals for tall buildings outside of these zones will be resisted.”*

Part B – Proposed Modification

- 3.3.2 RER understand that, following conversations between DP9 (who act as RER’s planning consultants) and LBL, LBL proposed to the Inspector that Part B of Policy QD4 be amended to insert the word “*generally*” – this amendment to Part B of Policy QD4 is shown in the blue wording below:



- B Tall buildings should only be developed in locations identified as appropriate for tall buildings on the Policies Map (i.e. Tall Building Suitability Zones). Development proposals for tall buildings outside of these zones will **generally** be resisted.” (new text)*

4. NON-CONFORMITY WITH THE LONDON PLAN

Part B, Policy QD4 – Original Wording

- 4.1 RER and its consultant team undertook a detailed review of Lewisham Draft Local Plan and identified that the original wording of draft Policy QD4 was not currently in general conformity with Policy D9 of the London Plan 2021, as required by section 24(1) of the Planning and Compulsory Purchase Act 2004. The inconsistency between the two policies was the subject of a detailed opinion from Mr Rupert Warren KC which was shared with LBL on 21 November 2024.
- 4.2 The relevant section from Rupert Warren KC’s opinion is set out below:
- 24(1) *[Part B of Policy QD4] expressly provides that Tall Buildings should only be developed in identified Tall Building Suitability areas, and applies its Part D criteria only to schemes on sites within such areas.*
- 24(2) *That is plainly inconsistent with the meaning of London Plan Policy D9 as explained in the Master Brewer case: the Court held that the Mayor and GLA had not intended the criteria only to apply to cases where the site lies within a Tall Building Suitability Area.*
- 24(3) *It follows that whereas D9 requires consideration of the Part C criteria within it in all Tall Building determinations, draft policy QD4 precludes consideration of its assessment criteria where the site lies outside one of the identified Tall Building areas.*
- 24(4) *The reference in draft policy QD4 to the application of London Plan Policy D9 (“Development proposals for tall buildings will be assessed against and must comply with London Plan policy D9 (Tall buildings) and the following...”) does not in my view affect this central inconsistency. As things stand it is nothing more than a statement of fact, since D9 is part of the development plan and must be taken into account as a matter of law as long as it remains within the suite of adopted development plan policies.*
- 24(5) *However, the reference to D9 merely signposts, in my view, the inconsistency between the policies, because draft policy QD4 invokes D9 and its new policy which precludes having regard to any Tall Building criteria unless the site lies in a Tall Building Suitability area: that is of course inconsistent with D9.*
- 24(6) *Nor do I consider that the wording in explanatory paragraph 5.35 affects the matter. It may be relevant overall as a consideration but it is not as a matter of law part of the policy and does not affect its proper construction. In any event, the wording in paragraph 5.35 (“Development proposals will be refused where they will result in an unacceptable visual, functional, environmental and/or cumulative impact. Development proposals for building heights that depart from the parameters set by the Local Plan will be considered having regard to relevant material considerations. In such circumstances a wider public benefit must be demonstrated to justify the design of the development.”) is also on the face of the plan as drafted inconsistent with the wording of the*



policy itself. If LB Lewisham intends its Tall Building policy approach to allow for the consideration of relevant criteria when assessing Tall Buildings outside designated Tall Building Suitability areas, then it should say so in QD4 itself.

Part B, Policy QD4 – Proposed Modification

- 4.3 In response LBL amended Part B of Policy QD4 to add the word “generally” to the Policy as set out in paragraph 3.3.2 of this letter. RER considered that the proposed modification of Part B of Policy QD4 to be helpful. However, RER considers that this amendment alone is insufficient to address the obvious internal inconsistency between Part B and D of Policy QD4 and the resulting lack of conformity with Policy D9 with Part D stating:

D Development proposals for tall buildings will only be permitted where they are in a Tall Building Suitability Zone, align with the appropriate height ranges set out above and it is demonstrated that the development...

- 4.4 If left unamended Part D of Policy QD4 will result in:

4.4.1 an inconsistency between Part B and D of Policy QD4, as Part D is expressed to apply *only* to buildings within Tall Building Suitability Zones, whereas Part B, through the introduction of the word “generally” permits the development of buildings outside of Tall Building Suitability Zones; and

4.4.2 a lack of conformity of Part D of Policy QD4 with Policy D9 of the London Plan, as Part D of Policy QD4 is expressed to apply *only* to buildings within Tall Building Suitability Zones, which again is inconsistent with Policy D9 which provides that similar criteria are intended to apply to *all* tall building proposals, irrespective of whether they are in an area designated as being suitable for tall buildings. Thus, the current proposed formulation of QD4 is in contradiction with High Court’s decision in the Master Brewer case² which confirms the correct interpretation of Policy D9.

- 4.5 Consequently, RER requests that LBL must request that the Inspector recommends further modifications to the Policy QD4 in order to achieve legal compliance in accordance with section 20(7C) of the 2004 Act.

- 4.6 If this non-conformity is not addressed, the draft Local Plan (on adoption) will be at risk of legal challenge. At the very least it will create significant uncertainty throughout the plan period as applicants and decision-makers are required to reconcile the deliberate and fundamental flexibility inherent in Policy D9 (as confirmed by the High Court) with the more restrictive and inflexible requirements of Policy QD4.

5. MINIMUM AMENDMENT REQUIRED – DRAFT POLICY QD4

- 5.1 As a minimum, the wording of Part D requires further modification to be sound, as recommended in DP9’s letter of 21 November 2024, through the introduction of the word “generally” so that Part D of Policy QD4 would read as follows:

*D Development proposals for tall buildings will **generally** only be permitted where they are in a Tall Building Suitability Zone, align with the appropriate height ranges set out above and it is demonstrated that the development...*

² London Borough of Hillingdon, R(On the Application Of) v Mayor of London [2021] EWHC 3387 (Admin)



- 5.2 This amendment would ensure consistency between Part B and D of Policy QD4 and address the lack of conformity with Policy D9 by ensuring the tall building considerations set out in Part D apply regardless of whether the building is located within a Tall Building Suitability Zone.

6. **PREFERRED AMENDMENT – DRAFT POLICY QD4**

- 6.1 RER also remain of the opinion that further amendments and additional wording is required to Part B of Policy QD4 for consistency and to ensure that it is clear that all tall buildings, whether in a tall building zone or not, would be subject to the criteria in Parts D, E and F of Policy QD4.

- 6.2 Our proposed wording of Parts B and D of Policy QD4, as set out in our letter of 21 November 2024, is outlined below:

*B Tall buildings should **only** be developed in locations identified as appropriate for tall buildings on the Policies Map (i.e. Tall Building Suitability Zones). Development proposals for tall buildings outside of these zones will **generally** be resisted. All tall buildings will be required to demonstrate that they meet parts D, E and F of the policy.*

[...]

*D Development proposals for tall buildings will **generally** only be permitted where they are in a Tall Building Suitability Zone, align with the appropriate height ranges set out above and it is demonstrated that the development..."... (new text; deletions)*

7. **CONCLUSION**

- 7.1 The amendments to Policy QD4 set out at paragraph 6.2 of this letter are necessary to prevent a finding of inconsistency once the Lewisham Draft Local Plan is adopted; remove the risk of a legal challenge to the adoption of the plan on the basis of lack of general conformity and ensure that there is no ongoing doubt over the continuing applicability of D9 of the London Plan in Lewisham.

- 7.2 We acknowledge that in due course RER will be provided with a formal opportunity to participate in the public consultation on the main modifications that the Inspectors and LBL are currently considering following the conclusions of the hearings. However, given the fundamental importance of Policy QD4, the implications of non-conformity with Policy D9 and the relative ease with which that non-conformity could be avoided, RER wishes to ensure that the Inspectors and LBL are made aware of its position as soon as possible in order to ensure that the point can be properly considered before the main modifications are published for consultation in due course.

Yours sincerely

Pinsent Masons LLP



QD4 Building heights

- A Tall buildings are substantially taller than their surroundings and cause a significant change to the skyline. Within Lewisham Tall Buildings are defined as buildings which are 10 storeys or 32.8 meters measured from the ground level to the top of the building (including any rooftop equipment), or greater. Development proposals for tall buildings will be assessed against and must comply with London Plan policy D9 (Tall buildings) and the following:
- B Tall buildings should **only** be developed in locations identified as appropriate for tall buildings on the Policies Map (i.e. Tall Building Suitability Zones). Development proposals for tall buildings outside of these zones will **generally be resisted. All tall buildings will be required to demonstrate that they meet parts D, E and F of the policy. (deletion; new text)**
- C Within those locations identified as appropriate for tall buildings, the maximum height of buildings shall not normally be more than:
- a. 80.8 meters (25 storeys) to 151.2 meters (48 storeys) in Deptford / North Deptford
 - b. 52.0 meters (16 storeys) to 112.8 meters (35 storeys) in Lewisham Town Centre
 - c. 39.2 meters (12 storeys) to 64.8 meters (20 storeys) in Catford
 - d. 64.8 meters (20 storeys) to 96.8m (30 storeys) in Deptford Creekside
 - e. 32.8 meters (10 storeys) to 48.8 meters (15 storeys) in New Cross and New Cross Gate
 - f. 32.8 meters(10 storeys) to 39.2 meters (12 storeys) in Bellingham and Lee Green
 - g. 39.2 meters (12 storeys) to 52.0 meters (16 storeys) in Lower Sydenham / Bell Green proposed opportunity area.
- Refer to figures 5.3 to 5.10 for further details.
- D Development proposals for tall buildings will **generally** only be permitted where they are in a Tall Building Suitability Zone, align with the appropriate height ranges set out above and it is demonstrated that the development: **(deletion; new text)**
- a. Will contribute to delivery of, and is not at odds with, the spatial strategy for the Borough;
 - b. Is of an exceptionally good design and architectural quality;
 - c. Is sensitive to the site's immediate and wider context with reference to Figure 5.2 (Tall Building Sensitivity Plan), including the distinctiveness of Thames Policy Area in line with Policy LNA4 (Thames Policy Area and Deptford Creekside);
 - d. Will not result in any unacceptable adverse visual, functional, environmental and cumulative impacts, with reference to the requirements of London Plan policy D9 (Tall Buildings);
 - e. Will make a positive contribution to the townscape and skyline;
 - f. Will not adversely impact on strategic and local views, vistas and landmarks, including strategic background views, with reference to Policy QD5 (View management);
 - g. Will preserve or enhance the significance of heritage assets and their setting; and
 - h. Provides a high quality public realm in line with Policy QD3 (Public realm and

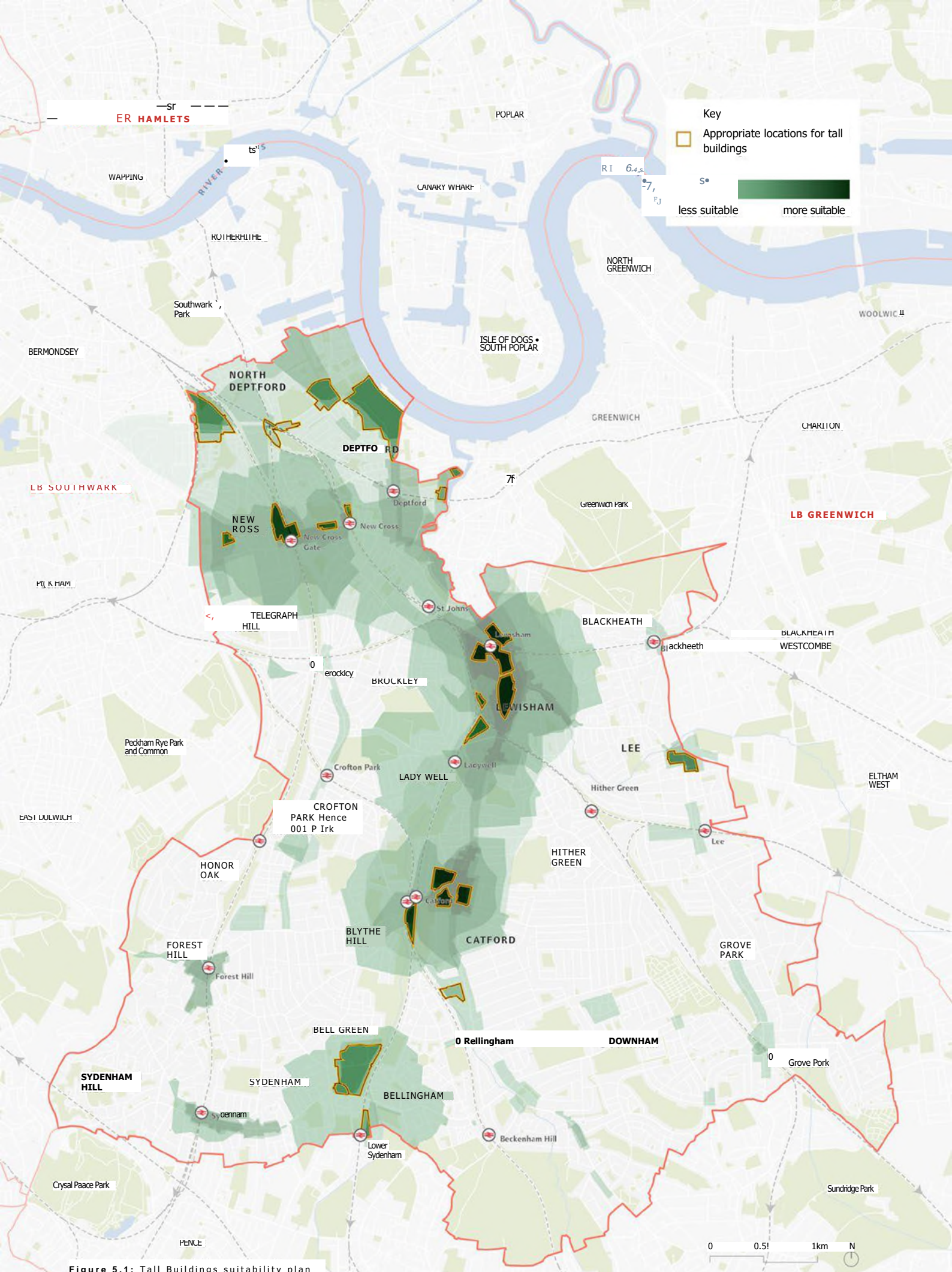
connecting places). Where appropriate, development will be required to make provision for free to enter, publicly-accessible areas that are incorporated into the building.

- E Development proposals for tall buildings should incorporate sensitively designed measures to ensure public safety at height such as barriers, rails and anti-climb equipment. These must be considered as part of the overall design-led approach and contribute positively to the skyline.
- F Tall buildings must be delivered through a masterplan process in order to ensure that they are appropriately located, designed to a high quality standard and effectively managed over the lifetime of the development. The requirements for masterplans are set out in Policy DM4 (Masterplans and comprehensive development).



.....

.....



Explanation

- 5.29 In order to deliver the spatial strategy and meet local needs, such as for new housing, workspace and community facilities, it is imperative that development proposals optimise the capacity of sites. Well-designed and sensitively integrated, higher density development that responds positively to its local context can support Good Growth. Higher density development can be achieved through a wide range of site layouts and building forms and does not necessarily require tall or taller buildings.
- 5.30 Tall and taller buildings are prominent features that can have significant impacts on the London skyline, the character of townscapes and local neighbourhoods as well as the amenity of the population and natural environment. Buildings that are appropriately located and well-designed can help people to navigate through the Borough by providing reference points for wayfinding and emphasising the hierarchy of places. However where tall and taller buildings are inappropriately located and poorly designed they can have detrimental impacts. These impacts may include disruption to established views and vistas or landmarks, harm to heritage assets and their setting, disturbance to the character and visual amenity of streetscapes and townscapes, and the introduction of microclimate conditions such as wind tunnels. Poorly designed buildings can also adversely impact on community safety as well as the mental and physical health and wellbeing of the population.
- 5.31 Development proposals for taller buildings must demonstrate a clear understanding of, and respond positively to, the site context including heritage assets, their setting and the historical pattern of development. The reference point for the prevailing height of buildings will vary on a case-by-case basis, even within a neighbourhood. Not all existing tall or taller buildings will be appropriate references for new development. For example, some tower blocks built in the 1960s and 1970s detract from the historic character and townscape features within a neighbourhood and are therefore not suitable reference points. The cumulative impact of tall or taller buildings within a site or locality will also be an important consideration. Applicants are encouraged to refer the Lewisham Characterisation Study (2019) and where relevant Conservation Area Appraisals, Supplementary Planning Documents and Area Frameworks to develop an understanding of the site context. Design and Access Statements should clearly set out what features of the built and natural environment have been used as reference points to inform the development design and building heights.

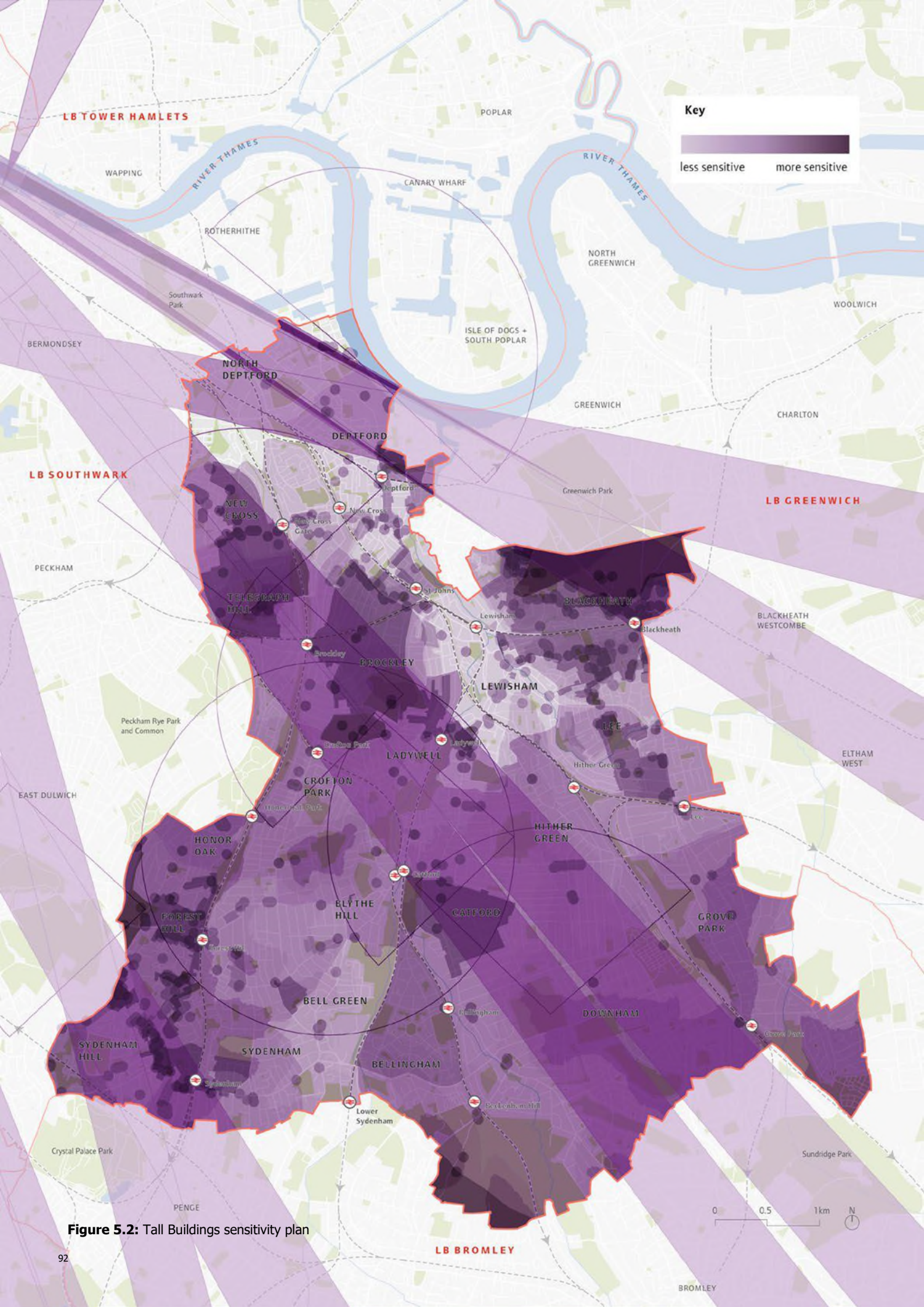


Figure 5.2: Tall Buildings sensitivity plan

5.32 There may be locations where the prevailing heights of buildings are expected to evolve over time. For instance, there are areas within Lewisham where the spatial strategy provides in-principle support for the sensitive intensification of neighbourhoods, including through the comprehensive redevelopment of sites. This includes Growth Corridors, Opportunity Areas, Growth Nodes and Regeneration Nodes. Furthermore, there may be consented developments that establish new land use and design principles and which will influence the existing character of a site or area once implemented.

5.33 The London Plan provides that tall buildings will play a role in supporting Good Growth across London. It directs the Local Plan to identify locations where tall buildings may be an appropriate form of development and to set a local definition for tall buildings⁴³. This policy helps give effect to the London Plan. The Policies Map designates Suitability Zones for tall buildings (also shown in **Figure 5.1**, **Figure 5.3 to Figure 5.10** and **Table 21.12**). This must be read together with part C of the policy above which provides the recommended maximum building heights. The zones and heights have been informed by the Lewisham Characterisation Study (2019), Lewisham Tall Buildings Study (2020) and Tall Buildings Study Addendum (2022). Whilst Suitability Zones have been identified this does not mean that tall buildings are automatically acceptable within them or that the maximum building heights are appropriate in every instance. Although maximum heights are provided for each for the Tall Building Suitability Zones, proposals will still be expected to include robust design justifications for the heights proposed, including testing in key views.

⁴³ London Plan (2021) policy D9 (Tall buildings) provides that tall buildings should not be less than 6 storeys or 18 metres measured from ground to the floor level of the uppermost storey.

5.34 Development proposals will be considered on a case-by-case basis taking into account their impacts on an individual site level and cumulatively in combination with other existing, consented and planned tall and taller buildings. Impacts include those in the building's immediate vicinity, surrounding area and elsewhere in London. Development proposals should refer the Tall Building Sensitivity Plan (**Figure 5.2**) early in the design-led approach to understand site-specific sensitivities and development constraints. The Council will normally employ the use of graphic 3D modelling to assess development proposals, such as enabled by VU.CITY software, and applicants will be required to submit technical information to support this analysis.

5.35 Development proposals for tall buildings will also be assessed in accordance with London Plan policy D9 (Tall buildings). Proposals must include a sufficient level of information to demonstrate that potential impacts have been suitably identified and adequately addressed. Development proposals will be refused where

they will result in an unacceptable visual, functional, environmental and/or cumulative impact. Development proposals for building heights that depart from the parameters set by the Local Plan will be considered having regard to relevant material considerations. In such circumstances a wider public benefit must be demonstrated to justify the design of the development.

5.36 The Maritime Greenwich World Heritage Site, Thames Policy Area and London View Management Framework views are important considerations for tall and taller buildings. There are riverside locations within the Borough that have been identified as being potentially sensitive to tall buildings⁴⁴. The Maritime Greenwich World Heritage Site Buffer Zone is considered inappropriate for tall buildings. Tall buildings can also adversely impact on biodiversity and developments should therefore be appropriately sited and designed to avoid shading or casting light spill on Sites of Importance for Nature Conservation.

⁴⁴ Important Views and Tall Buildings: Maritime Greenwich, A World Heritage Site. Greenwich World Heritage Site Coordinator. 2006.

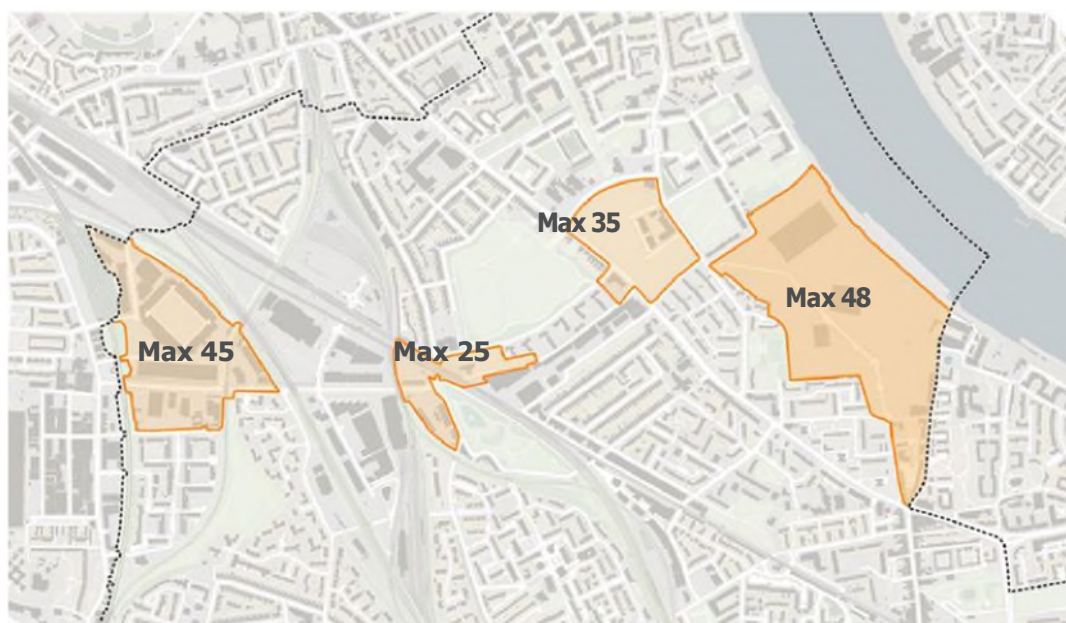


Figure 5.3: North Deptford tall building suitability zones



Figure 5.4: Deptford Creekside tall building suitability zones



Figure 5.5: Lewisham tall building suitability zones

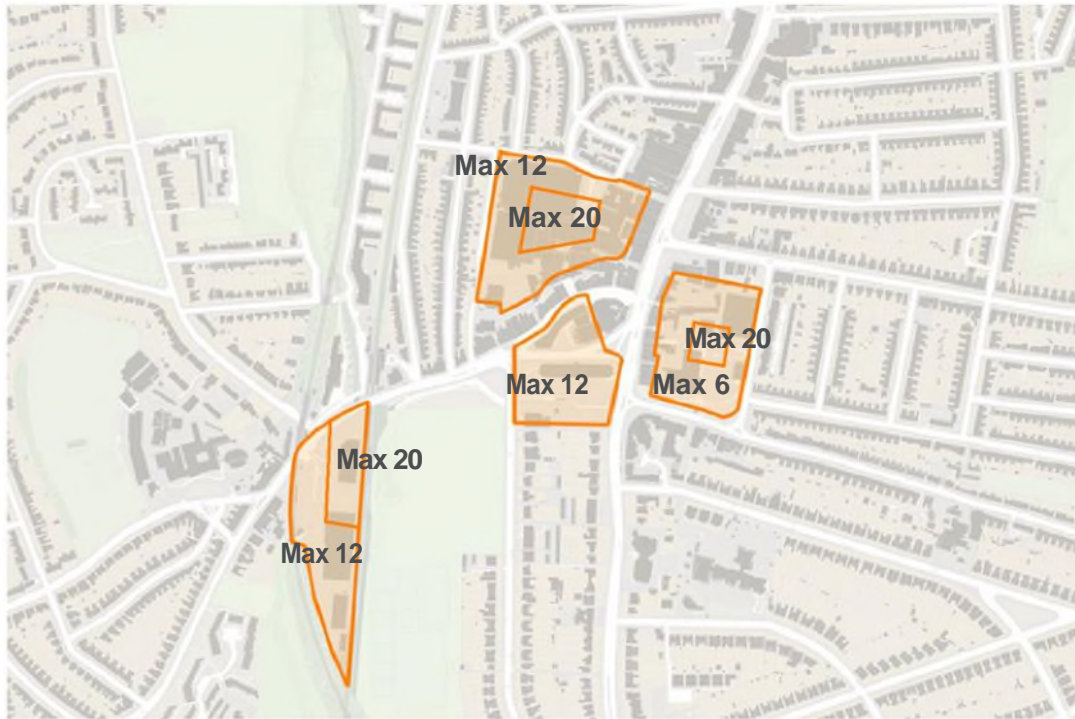


Figure 5.6: Catford tall building suitability zone

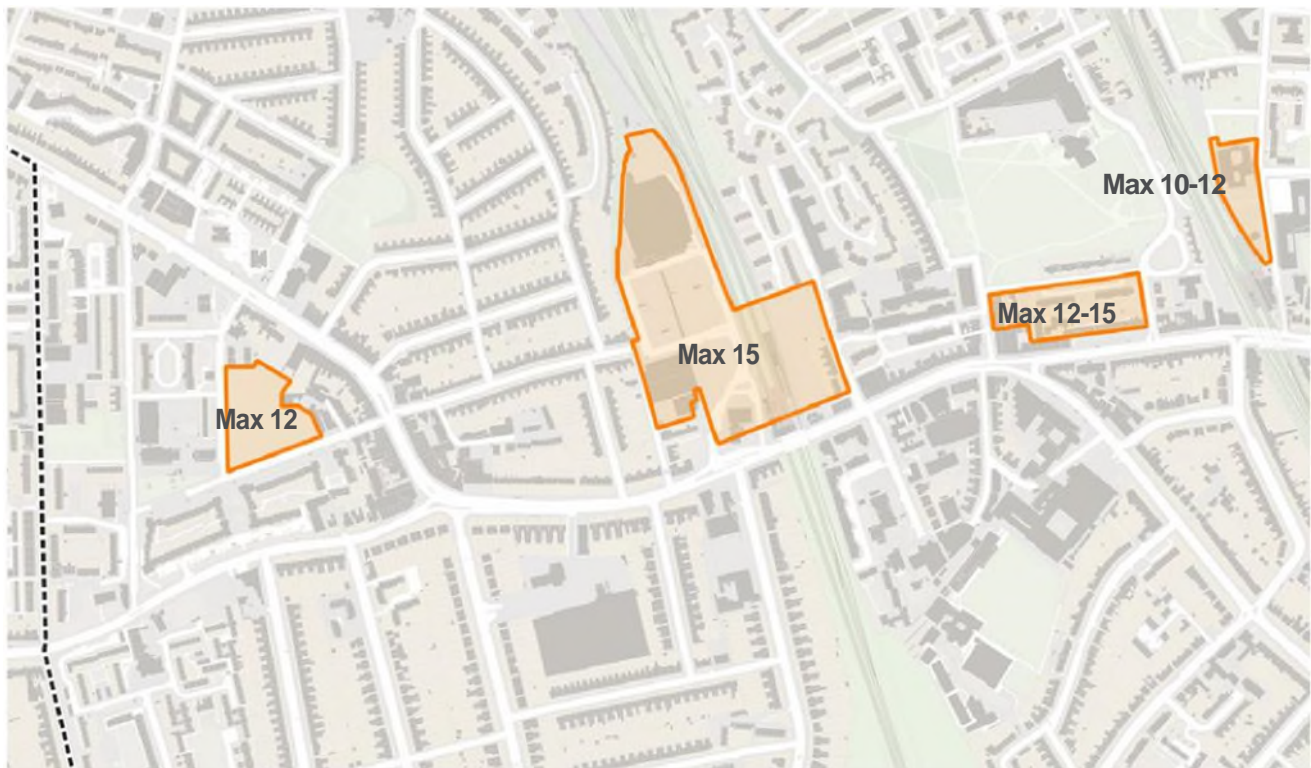


Figure 5.7: New Cross and New Cross Gate tall building suitability zones



Figure 5.8: Bellingham tall building suitability zone

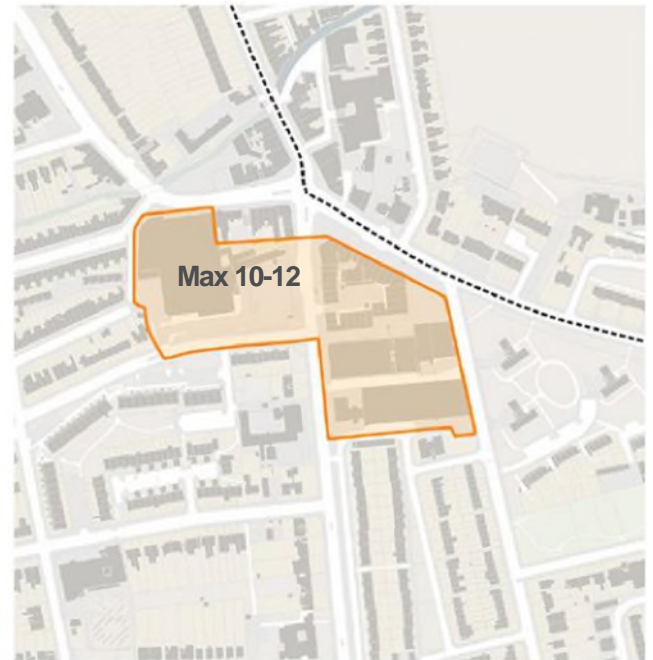


Figure 5.9: Lee tall building suitability zones

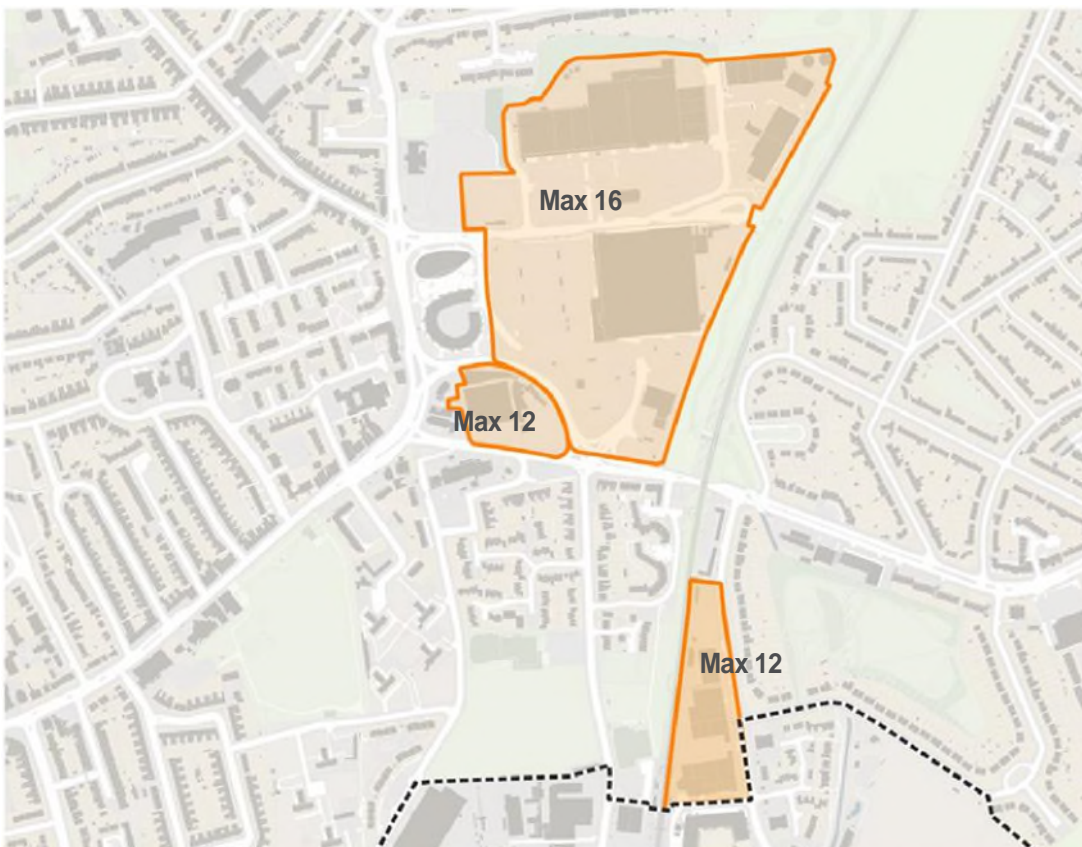


Figure 5.10: Bell Green / Lower Sydenham tall building suitability zone

Consultation on the Proposed Modifications in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 Regulation 24 – Standard Response Template

This form has two parts

Part A – Personal details to be completed once

Part B – Your response(s) to the Proposed Main Modifications.

Part C – Your response(s) to the Proposed Additional Modifications and/ or Proposed Changes to the Submitted Proposals Map

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

Part A – Personal Details

All representations will be made public along with the name of the person making the submission, all other personal information will be kept confidential. Following the conclusion of the Consultation, all responses that relate to the Proposed Main Modifications will be passed to the appointed Independent Inspectors for their consideration.

Title

First Name

Last Name

Job Title

Organisation

Address

Post code

E-mail Address

Telephone number

Part B (Use a separate sheet for each response)

Please note: Those responding to the consultation may only comment on the soundness of the proposed Main Modifications. There is no opportunity to comment on other aspects of the new Local Plan that do not correspond with a proposed Main Modification.

Reference:

MM

Comment: Why is the Main Modification unsound?

Part C (Use a separate sheet for each response)

Please note: the Council is also inviting comments on the Lewisham Local Plan Additional Modifications Schedule (January 2025) and the Lewisham Local Plan Changes to the Submitted Policies Map (January 2025). These are outside the scope of the Examination. The Council will consider responses relating to these two documents and will be responsible and accountable for making these Additional Modification, or Proposed Changes to the Submitted Policies Map upon adoption of the Plan.

Reference:

AM/ PCSPM

Comment:

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First Name

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Reference:

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Part C (Use a separate sheet for each response)

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Reference:

AM/ PCSPM

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Title

First Name

Last Name

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Address

Post code

E-mail Address

Telephone number

Part B (Use a separate sheet for each response)

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Reference:

MM

Comment: Why is the Main Modification unsound?

Part C (Use a separate sheet for each response)

Please note: the Council is also inviting comments on the Lewisham Local Plan Additional Modifications Schedule (January 2025) and the Lewisham Local Plan Changes to the Submitted Policies Map (January 2025). These are outside the scope of the Examination. The Council will consider responses relating to these two documents and will be responsible and accountable for making these Additional Modification, or Proposed Changes to the Submitted Policies Map upon adoption of the Plan.

Reference:

AM/ PCSPM

Comment:

[REDACTED]

From: [REDACTED]
Sent: 27 March 2025 10:58
To: LocalPlan
Subject: Proposed Site:Land at Engate Street

Hello

Firstly, I know my email is a day late but I have been unable to submit my objection on your website.

I wish to object as this proposal includes my home, [REDACTED] which is a Grade 2 listed building. When I purchased my flat [REDACTED] it was advertised as Grade 2 and has always been treated as so, you can tell by the way it was converted (in 1998) and we are not allowed to change anything ie windows etc.

It seems since the opening of the Enish Restaurant/Party Venue and them being able to take over our residential building that we have been downgraded to locally listed, I am unclear how this could happen? Or how you could consider knocking down the building?

I would be grateful for clarification.

Please register this e-mail as an objection.

Thank You

[REDACTED]



Note

Quod on behalf of Landsec Lewisham Local plan Proposed Main Modifications

1.1 On behalf on Landsec, we set out comments on the Council's Proposed Main Modifications consultation, the period of which expires midnight 26th March 2025.

A Proposed Main Modifications Table

MM Ref	Policy	Topic	MM Text	Landsec Representation
MM17	QD4 (c)	Building heights	<i>Areas characterised by consistent building heights and topography</i>	These areas are not defined in the plan and therefore this may give rise to ambiguity.
MM91	(EC12) 8.70	Retail	<i>Given the evolving nature of modern retail operations, the Council is committed to maintaining up to date technical evidence on this matter. Consequently, the Council is prioritising the review of the Lewisham Retail Impact Assessment and Town Centre Trends Report, inclusive of a household survey, as part of its on-going plan-making and decision-taking responsibilities. It is anticipated that a review of the Lewisham Retail Impact Assessment and Town Centre Trends Report will take place during 2026 and will inform the Council's own future plan-making in addition to the new London Plan.</i>	Support MM
MM167	LCA SA2	Site Allocation	<i>2,145 homes 0 Employment 70,000 main town centre</i>	Support MM as it reflects the potential capacity of the site
MM169	(LCA SA2) Para 14.29	Site Allocation	<i>It is the responsibility of the lead landowner/ developer (who is bringing forward the site-wide master plan) to demonstrate that they have taken all reasonable efforts to undertake positive and meaningful engagement with other relevant neighbour land interests.</i>	Landsec notes this requirement and has taken all reasonable efforts to undertake positive and meaningful engagement with other relevant neighbour land interests. Landsec consider that there is a mutual responsibility of all landowners to undertake all reasonable efforts to undertake positive and meaningful engagement.
MM170	(LCA SA2) Para 14.30	Site Allocation	<i>Redevelopment and refurbishment options for the plots of land that do not fall within the ownership of the Lewisham Shopping Centre should be fully co-ordinated with a comprehensive approach to the wider site allocation. This includes retail units along Lewisham High Street, and the Lewisham House block where the principle of land use has already been established through the prior approval process.</i>	<p>A comprehensive approach reflects good planning principles which Landsec consider will support the achievement of the Site Allocation objectives.</p> <p>It is noted that the principle of land use of Lewisham House has not been established following the recent refusal reference DC/24/137940 (23rd January 2025) and the yet to be determined application DC/25/139023.</p>



MM Ref	Policy	Topic	MM Text	Landsec Representation
MM324	DM3 (para 19.16)	3 rd parties	<i>In most cases it will be mutually beneficial for the land owners present across an allocation to work positively together in delivering the site allocation. The Council encourages the development of such positive relationships.</i>	It is agreed that in most cases where the parties act constructively, working positively can be mutually beneficial.
MM324	DM3 (para 19.16)	3d parties	<i>Nevertheless, it is acknowledged that there may be circumstances under which landowners are legitimately unable to work together. Where this arises, it will be the responsibility of the lead landowner/ developer (who is bringing forward the site-wide master plan) to demonstrate that they have taken all reasonable efforts to undertake positive and meaningful engagement with relevant neighbour land interests. This should be evidenced and documented as part of their planning application submission. Those developers seeking to bring forward proposals on their land that are contrary to emerging or agreed site-allocation wide master plans will be required to demonstrate, through appropriate and proportionate technical evidence, that their scheme is genuinely deliverable and will not prejudice planned-for delivery across the remainder of the site. Under such circumstances, proposals must also demonstrate that they accord with the relevant site allocation policy. This is in accordance with national planning policy. Proposals that prejudice delivery across the wider site allocation, including impacts upon the scale of development and timing of housing delivery will be considered correspondingly.</i>	It is recognised that it can be challenging for separate landowners to reach agreement on complex regeneration sites particularly where ownership details are unclear or there are different proposed approaches to the masterplan. It cannot be the intention of the Council that planning applications are delayed pending negotiation, and engagement between landowners should not detract from or result in material delay to achieving the objectives of the site allocation. It is agreed that taking all reasonable efforts to undertake positive and meaningful engagement with relevant neighbour land interests is in principle beneficial, but alternative proposals or approaches that prejudice delivery across the wider site allocation, including impacts upon the scale of development and timing of housing delivery, should not be supported
MM325	DM4	Land Assembly	<i>b) A comprehensive approach to development of the site will deliver a strategic site allocation contained in the Local Plan (including the requirements of a masterplan where required) in a timely manner that delivers public benefit.</i> <i>d) And where demonstrably reasonable efforts have been made to engage with the landowners and occupiers of the relevant land, but have been unsuccessful in securing timely delivery.</i>	Landsec support a comprehensive approach to development. Owners should seek to engage with each other but such engagement should not detract from or delay achieving the objectives of the site allocation.

1.2 Please respond to ben.ford@quod.com with any queries.

Our ref: Q230527/AFx/TR
Your ref: -
Email: [REDACTED]
Date: 24th March 2025



Lewisham Planning Policy Team
Laurence House
1 Catford Road
London
SE6 4RU

By email (localplan@lewisham.gov.uk)

Dear Sir / Madam,

**Lewisham Local Plan Proposed Main Modifications Consultation
Homebase, Bromley Road
Representations submitted on behalf of TJ Morris Limited**

We are instructed by our client, TJ Morris Limited ('TJM'), to submit the enclosed representations to the consultation on Proposed Modifications to the emerging Lewisham Local Plan. This follows previous representations submitted to both the London Borough of Lewisham ('LBL') (letter dated 27th June 2024) and the Local Plan Inspectors via the Programme Officer (letter dated 21st October 2024). Copies of this correspondence are enclosed for ease of reference.

1 Commercial Background

TJM, the parent company of the national retailer Home Bargains, is a key stakeholder in the Borough having acquired the freehold of the Homebase site at 10 Beckenham Hill Road, Catford; the property is now vacant following the retailer's well-publicised administration.

The emerging Local Plan seeks to allocate the site (under Policy LSA SA10), referred to as 'Homebase, Bromley Road', for comprehensive residential-led mixed use development with compatible main town centre, commercial and community uses. The Main Modifications (MM287) suggests a delivery timescale of between 11 to 15 years. This compares to 6 to 10 years under previous iterations of the emerging Local Plan.

As previously set out, TJM has no aspiration to redevelop the former Homebase for mixed-use redevelopment, particularly in the short to medium term. Instead, it remains the intention of the landowner, the parent company of one of the fastest growing independent retailers in the UK, to retain the site's existing retail function. Reflecting this, two separate but related planning applications were submitted to LBL in February 2025¹. Planning permission is sought for changes to the buildings and site layout. The changes are to facilitate Home Bargains occupation of the now vacant site,

¹ DC/25/138943 & DC/25/138944



significantly improving its visual appearance to the benefit of the local area. These applications are currently pending determination.

2 Policy Interpretation

Policy LSA SA10 allocates the site for comprehensive residential-led mixed use redevelopment with compatible main town centre, commercial and community uses. The proposed allocation also supports the reconfiguration of existing buildings to facilitate a new layout with new and improved routes, both into and through the site, along with public realm and environmental enhancements. The draft allocation identifies an 'indicative development capacity' of 141no. residential units and 5,694 square metres (gross) of non-residential floorspace.

The continuation of the existing retail use of the Site is supported by the draft site allocation, which states sets the following at Point 1 of the 'Development requirements (at paragraph 17.54).

“Longer term redevelopment of the site should not prejudice the continued operation of the site’s retail uses in the short to medium term.”

This text and the amended timeframe for delivery of the Site is welcomed by TJM. However, as outlined in previous correspondence, it is evident from recent pre-application discussions with LBL² that the draft policy is being misinterpreted when considering future proposals to retain the existing retail function.

Formal pre-application advice was sought from LBL on the landowner’s proposals to retain the retail function. LBL’s written advice was received on 18th October 2024. The advice highlighted that Officers believed that the proposals – to retain the retail use and refurbish the buildings and site layout – would compromise the draft site allocation, concluding that the proposals were contrary to policy. The written advice concluded the following.

*“The current proposal with regard to the principle of development, when assessed against the presumption in favour of sustainable development, and the Council’s position in relation to the HDT, and the Site Allocation in the emerging local plan would **not** be supported. Instead, the proposal must show an intensification of uses on site and its comprehensive re-development, particularly to meet housing needs, that would optimise new development on the site.*

TJM is very concerned that LBL is misinterpreting the wording of the draft site allocation, which sets out the clear requirement that the continued operation of the site’s retail uses in the short to medium term should not be prejudiced by the long term redevelopment aspirations set out in the site allocation.

² Ref. Pre/24/137053



3 Main Modifications

The Proposed Modifications (ref. MM287) retains the draft site allocation but has pushed back the time frame to delivery of residential uses from years 6 to 10 to years 11 to 15. The supporting Housing Trajectory and Five Year Housing Land Supply appended to the draft Local Plan has also been updated to reflect this and suggests delivery of housing in 2037/38. This is therefore at the latter end of the Local Plan period, which runs until 2039/40.

It is our strong view that the continued operation of retail uses on the site in the short to medium is supported by the wording of the draft allocation. This is further supported by the updated housing trajectory now not identifying housing delivery on the site until 2037/38. However, it has been demonstrated through pre-application discussions with LBL that this position is not shared by officers which is a concern. This misinterpretation of planning policy is having real life consequences on important investment decisions.

Within this context, we consider it necessary to delete the proposed site allocation under Policy LSA SA10. This will avoid the draft allocation prejudicing the continued operation of the retail uses in the short to medium term. Whilst the draft wording of the policy was written for this purpose, LBL's interpretation of the wording is clearly at odds with this, and the draft allocation is already acting as an impediment to planned investment in the retail site in the short term.

The removal of this site allocation will not undermine the strategic objectives of the Local Plan in terms of meeting future housing needs. Indeed, given the anticipated timescale for housing delivery, this site allocation does not contribute to meeting the London Plan's housing target for the Borough, which runs to the period 2028/29.

Longer term, draft Policy HO1 identifies that the NPPF 15-year target will be 'exceeded' through the delivery of at least 30,376 net housing completions from the anticipated start date of the Local Plan (i.e. 2025/26 to 2039/40. Reflecting updated evidence undertaken by LBL, Main Modification MM45 increases the net housing completions for this period from 27,730, as previously identified – an increase of almost 10%.

Whilst these net housing completions over the 15-year period includes the delivery of residential units at the Homebase, Bromley Road site, this is limited (at 141 units) and these would not come forward until the latter end of the Plan period. Critically, even with the removal of housing delivery on the site the NPPF 15-year target will continue to be exceeded. The delivery of this site is therefore not essential to ensure that the Borough's housing needs are met. This will be achieved without the site allocation.

Furthermore, draft Policy HO1 outlines that the performance of delivery against the strategic housing target will be kept under review and addressed through the local plan review process. It is likely that there will be a review of the local plan before any housing delivery could be provided at the site based on LBL's own timescales for delivery.



4 Proposed Plan Modification

The NPPF is clear that Local Plans must be examined as to whether they are 'sound'. This includes a Local Plan being 'effective' (i.e. deliverable). For all the reasons outlined above, in respect of the Homebase, Bromley Road allocation under Policy LSA SA10, the Local Plan is not deemed to be deliverable, and therefore sound. There is no aspiration from the current landowner to deliver the site as proposed by the site allocation, and the draft policy is already having unintended consequences, to the detriment of the local economy.

Instead, the suggested removal of this site allocation will ensure that the Local Plan is effective, whilst being positively prepared and consistent with national policy.

Against this background, we consider that the following further modifications to the Local Plan are necessary:

- The removal of Site Allocation 10 'Homebase, Bromley Road'; and
- A revision of the net housing completions of the NPPF 15-year target from 30,376 to 30,595 to reflect the removal of the site allocation.

5 Conclusion

The emerging Local Plan needs to be amended, as set out, to ensure that it is sound.

We trust that representations will be given full considerations by the Council and are helpful in progressing the Local Plan. In the meantime, please do not hesitate to contact us if there are any queries.

Yours faithfully,

Tim Rainbird
Senior Director

Enc.

cc. TJ Morris Limited



Appendix 1

Previous Correspondence to London Borough or Lewisham and Local Plan Inspectors

Our ref: AFX/TR/Q230527
Your ref: -
Email: [REDACTED]
Date: 27th June 2024



Director of Planning
London Borough of Lewisham
Laurence House
1 Catford Road
London
SE6 4RU

By email

Dear Mr Fenwick,

Homebase Site, 10 Beckenham Hill Road, Catford SE6 3NU

We write on behalf of our client, TJ Morris Limited ('TJM'), the parent company of the national retailer Home Bargains, following their recent freehold purchase of the existing Homebase site at 10 Beckenham Hill Road, Catford ('the Site'). A plan showing the extent of this site is enclosed.

TJM, a national discount variety retailer, will shortly be entering into formal pre-application discussions with the Council to discuss their proposals to refurbish the existing retail use to enable its re-occupation by Home Bargains – the trading arm of TJM. TJM has a longstanding aspiration to improve their representation in London and the Site, as a long-established retail destination, provides an ideal opportunity to meet this need.

It is acknowledged that the emerging Lewisham Local Plan, which is currently going through Examination, seeks to allocate the Site (referred to as 'Homebase / Argos, Bromley Road') for comprehensive residential-led mixed use redevelopment with compatible main town centre, commercial and community uses. The stated delivery timescales is 6 to 10 years.

It is understood that the previous landowner promoted the Site for mixed use redevelopment. However, we can confirm that TJM has no desire to redevelop the Site for alternative purposes, particularly in the short to medium term (5-10 years). Instead, the existing retail function of the Site will be retained.

The aspiration of the current landowner provides important commercial context for the Site in the plan-making process. This Site cannot be relied upon as delivering residential-led development, particularly in the timeframe envisaged by the emerging Local Plan. The landowners' intentions should be reflected in the emerging Lewisham Local Plan.



We trust that this correspondence is useful in progressing the new Local Plan and we look forward to discussing with the Council our client's aspirations for the Site.

Yours sincerely,

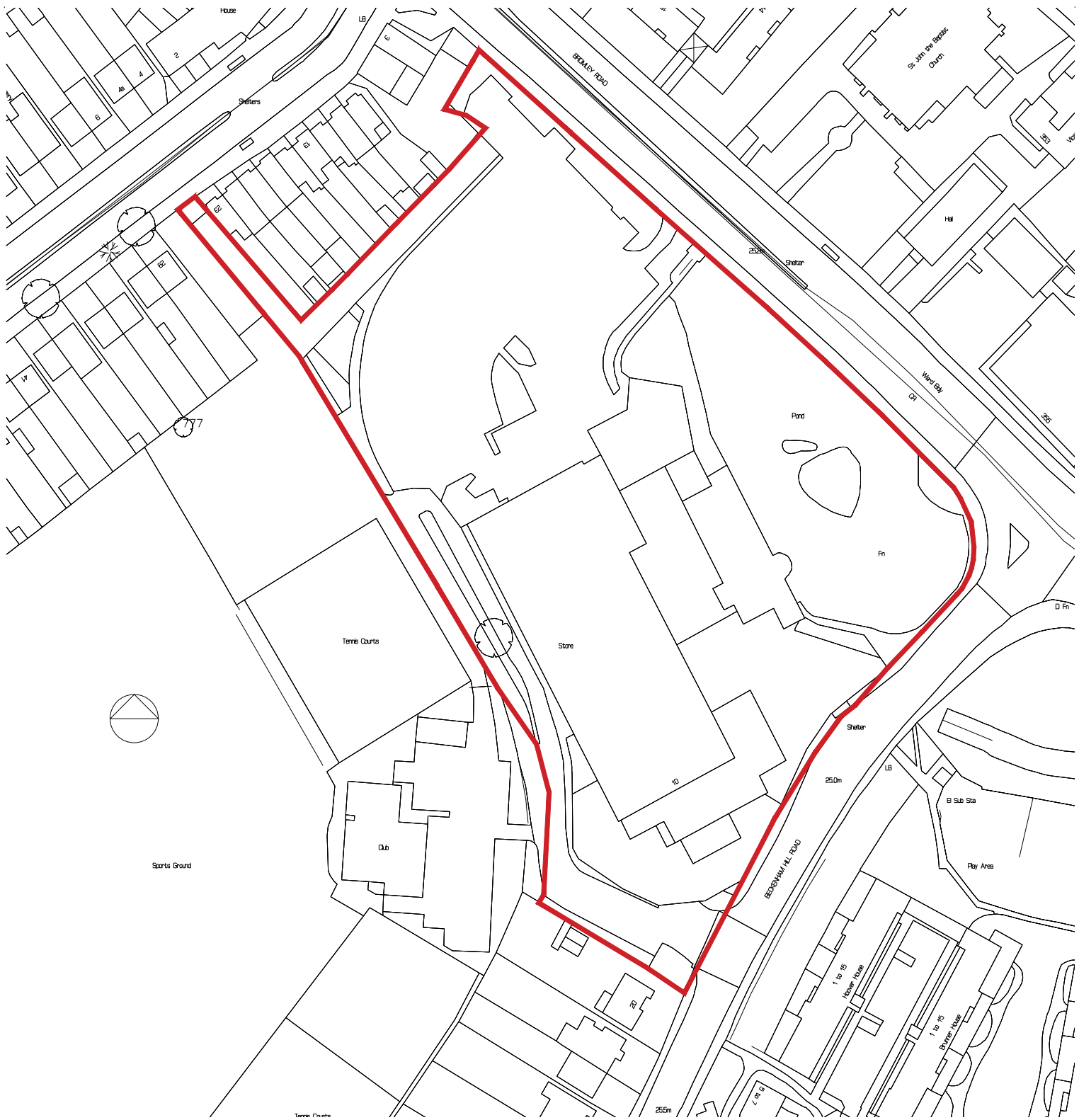
[Redacted signature]

Tim Rainbird
Senior Director

enc.

cc.

[Redacted text]



RED LINE = OWNERSHIP BOUNDARY

0m 10m 50m 125m
1:1250



WPL Consulting LLP

1 Airport West Lancaster Way Leeds LS19 7ZA

Tel: 0113 202 9444 Fax: 0113 202 9333

E-mail: mail@wplconsulting.co.uk

PROJECT TITLE

**PROPOSED RETAIL DEVELOPMENT
FORMER HOMEBASE
BECKENHAM HILL ROAD
CATFORD
SE6 3NU**

DRAWING TITLE

**LOCATION PLAN
PLANNING**

PROJECT No:

9982

SCALE:

1:1250@A4

DRAWING No:

LOC

DATE:

APR 24

REVISION:

A

DRAWN BY:

LW

A
REV.

JULY 24
DATE

Planning Issue
AMENDMENT

CHECKED BY:

DATE:

Our ref: AFX/TR/Q230527
Your ref: -
Email: [REDACTED]
Date: 21st October 2024



Mr I Kemp
Lewisham Local Plan Programme Officer
PO Box 241
Droitwich
Worcestershire
WR9 1DW

By email

Dear Mr Kemp,

Homebase Site, 10 Beckenham Hill Road, Catford SE6 3NU Lewisham Local Plan

1 Introduction

We write on behalf of our client, TJ Morris Limited ('TJM'), in respect of the above land holding as identified as under Site Ref. LSA SA 10 (Homebase / Argos, Bromley Road) within the emerging Lewisham Local Plan. This follows previous correspondence outlining the change of ownership, with the London Borough of Lewisham ('LBL') having been notified by letter (from Quod acting as Agent, dated 1st July 2024). That letter also set out that the new landowner was seeking to engage with LBL to discuss their intentions for the site via the formal pre-application process.

2 Current Proposals by the Landowner

The intention of the landowner is important in the plan-making process given the site is proposed to be allocated for comprehensive residential-led mixed use redevelopment with compatible main town centre, commercial and community uses.

The intention of TJM is to retain and refurbish the existing retail site to enable its reoccupation by Home Bargains, the trading arm of TJM. Home Bargains is a discount variety retailer with over 600 stores across the UK and an ambitious expansion strategy to deliver 1,200 stores.

We note some recognition of our client's intentions as set out in a number of documents that the LBL has recently submitted in respect of Action Points for Matter 15 - Housing Land Supply, including: WS15/2 - Updated Matter 15 Written Statement, LC34A - Sources of Supply Spreadsheet (Updated October 2024 - Excel Document), LC34B - Proposed Housing Spreadsheet - Excel Document. These indicate that 141 residential units may be deliverable on the Homebase / Argos, Bromley Road in 2037/38. This compares to the LBL initially suggesting deliver of 141 residential units by 2032/33¹.

¹ Housing Trajectory – Update to Appendix 6 (2023) (Local Plan Submission Document reference PD18)





3 LBL Response & Interpretation of Emerging Policy

A response to the 1st July 2024 dated letter was finally received from LBL's Policy Team on 17th October 2024. This was prior to a separate response from LBL received on the 18th October 2024 to a formal pre-application request submitted on behalf of TJM in August 2024 (under reference Pre/24/137053). This correspondence is enclosed at **Appendix 1**.

The latter correspondence (at Paragraph 44) refers to the landowner not making any formal objection to the site's allocation for comprehensive redevelopment through the formal consultation processes on the emerging local plan nor through the Programme Officer for the Examination in Public. In considering this specific matter, the Local Plan was submitted for Examination on the 3rd November 2023, shortly after TJM acquired the site.

Significantly, the site was acquired by TJM in the knowledge of the draft policy wording that forms part of site allocation 10 *Homebase/Argos, Bromley Road*. This includes point 1 of the 'development requirements' section at Paragraph 17.51 which states:

"1. Development proposals must be delivered in accordance with the A21 Development Framework and consider co-location, phasing and balance of uses across the site, in line with Policy DM3 (masterplans and comprehensive development) Longer term redevelopment of the site should not prejudice the continued operation of the site's retail uses in the short to medium term." (our emphasis)

The proposed wording of this allocation confirms that the continued operation of the site's retail use in the short to medium term is supported in this location. However, based on recent pre-application advice received by Officers at LBL, this does not appear to be the case.

As mentioned, we first wrote to the Director of Planning (copying in the Head of Strategic Planning) on the 1st July 2024. This confirmed TJM's intention for the site in the short to medium term and sought to engage in active discussions with LBL. We received no acknowledgement to this letter until the 17th October 2024. LBL was notified on the change in ownership before the relevant EiP Hearing Session which took place on the 11th July 2024 (Matter 20 – Lewisham's South Area: Spatial Objectives/principles/site allocations). Officers were therefore aware of the new landowner's intentions for the Site ahead of the hearing session and those intentions were respected by the draft wording of site allocation 10. This states that comprehensive redevelopment of the site should not prejudice the site's existing retail use.

The emerging policy position is supportive of our client's short to medium term aspirations for the site. This is further supported by the recent correspondence from Policy Team (email dated 17th October 2024) highlighting that the Council is considering a modification to place delivery of the site allocation later in the plan period. As mentioned, this is also reflected in the recent submission of documents in respect of Action Points for Matter 15 - Housing Land Supply.



Against this background, the proposed allocation supports the retention / preservation of the existing retail use in the short to medium term, as proposed by TJM. In this respect, no formal representations were deemed necessary beyond notifying LBL of the change in ownership including confirmation of the new owner's intentions, as set out in the letter dated 1st July 2024.

Despite this supportive policy position, it is important to draw to the attention of the Inspectors how Officers at LBL appear to be interpreting emerging policy in respect of this site. Specifically, it is suggested (in LBL's formal pre-application response dated 18th October 2024, ref. Pre/24/137053) that the proposed development currently being promoted by the landowner – which seeks to refurbish and retain an existing retail use – would compromise the site allocation 10 as a mixed-use prospect. For all the reasons outlined above, it is our strong view that this will not be the case.

LBL's position and consideration of the current proposals at pre-application stage represents a misinterpretation of the proposed site allocation. Further, the Policy response to the recent pre-application request² also suggests (at Paragraph 46) that the scale of the retail floorspace proposed should “align with the indicative floor area capacity set out in the site allocation”. The draft allocation suggests an indicative capacity for this site of 5,964 square metres of floorspace for main town centre uses. This figure has not been based on a specific scheme or detailed understanding of site constraints / opportunities. Instead, it is simply based on a possible land use mix based on the overall size of the site (1.7 hectares) where it is assumed that around 33% of the site is retained for main town centre uses³.

Nevertheless, in considering the specific matter of site capacity, it is important to note that LBL has accepted that where similar figures have been provided for proposed allocations elsewhere that these are purely indicative and should not be applied prescriptively. This is demonstrated in the response to the written representations prepared by LBL⁴ and the Statement of Common Ground with Landsec⁵ for their mixed-use scheme in Lewisham Town Centre. This same approach is not being applied by LBL in the consideration of the proposals by the new landowner on this site. This demonstrates an inconsistent approach.

4 Summary & Conclusions

Overall, we believe that the wording of the proposed site allocation supports the retention of retail use, consistent with the aspirations of the new landowner. However, in light of how the Council is misinterpreting their own policy (as reflected by very recent correspondence received from LBL) and the inconsistent approach being applied, we now believe that it is essential to bring this matter to the attention of the Local Plan Inspectors as it is having real life consequences on important investment decisions in the Borough.

² Correspondence dated 18th October 2024

³ As set out in the Lewisham Local Plan Site allocations background paper (Revised October 2023) (ref. EB15)

⁴ Examination document reference PD20

⁵ Examination document reference LC24



Based on the Council's current interpretation of the draft policy wording contained in site allocation 10 we would respectfully request that the removal of the allocation is now considered. This will avoid the draft allocation undermining the exiting retail use in the short to medium term. Whilst the draft wording of the policy was clearly written for this purpose, LBL's interpretation of the wording is clearly at odds with this, and the draft allocation is already acting as an impediment to planned investment in the retail site in the short term. This is not a desirable outcome and paints a clear picture of uncertainty for the new site owner.

We trust that this correspondence will be given full consideration in the plan-making process and would welcome the opportunity to provide representations to any proposed modifications to the wording of this allocation. In the meantime, please do not hesitate to contact us should you have queries or wish to discuss any matter further.

Yours sincerely,



Tim Rainbird
Senior Director

enc.



Appendix 1

Correspondence from Officers at the London Borough of Lewisham

From: [REDACTED]
To: [Adrian Fox](#)
Cc: [REDACTED]
Subject: Homebase, 10 Beckenham Hill Road, Catford
Date: 17 October 2024 16:09:56

Dear Adrian

Thank you for your recent message addressed to my Director, Nick Fenwick.

I can confirm that the Council has received and is now progressing a confidential pre-application enquiry in relation to your client's site. I would ask you to note that the enquiry (Pre/24/137053) was submitted on 8 August 2024, but unfortunately the Council was unable to validate it from that date because you/ your client did not pay the pre-application fee. I can confirm that the enquiry was subsequently validated, upon payment of the fee, on 10 September 2024. The enquiry is now being progressed.

In terms of your suggestion that the Council should make the Lewisham Local Plan Inspectors aware of your client's intentions, I would respectfully reply by stating that it is not the Council's responsibility to inform the examination process of every confidential pre-application that it receives. Again respectfully, that responsibility lies with the landowner and agent. As pre-application enquiry requests are confidential the Council would have been unable to communicate any detail to the examination process – as that intelligence would have to be made public. I would be happy to direct you towards the Lewisham Local Plan Examination Programme Officer, who will be able to pass on your comments to the Inspectors.

Nevertheless, I can confirm that the Council did raise the change in the site allocation's ownership, as a factual matter, during the course of the examination hearing sessions. Consequently, the Council are considering a modification to place delivery of the site allocation later in the plan period.

Without straying into the pre-application enquiry, I can confirm that the Council remains committed to delivering the growth identified for Lewisham during the plan period. Within that context, the site is an appropriate and sustainable location for redevelopment and intensification, in accordance with national and London Plan policy.

Yours sincerely

Karol

Karol Jakubczyk
Planning Policy Manager
Strategic Planning Team
Place Directorate
Lewisham Council
1 Catford Road
Catford

SE6 4RU

Email:



Web: www.lewisham.gov.uk

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Planning Service
Laurence House
1 Catford Road
SE6 4RU
020 8314 6506 extn 46506

Pre/24/137053
18 October 2024

Quod
London
W1D 3QP

TYPE OF PRE-APPLICATION: CONCEPT
PRE-APPLICATION RESPONSE

Ref: Pre/24/137053: Homebase, 10 Beckenham Hill Road, Bromley SE6 3NU

Proposals

Continued use of retail, unit within Class E(a) along with the use of an ancillary customer café; comprehensive refurbishment of the existing building and layout comprising: demolition of existing outbuildings and removal of external lobby; new shopfront entrance feature; new fencing and gates to service yard; reconfigured external display area to create new holding area and additional car and cycle parking; reconfiguration of parking along the store frontage; and associated works.

Section	Content	Paragraphs
A	Introduction	1 – 5
B	Policy Background	5 – 9
C	Site and Surroundings	10 – 14
D	Planning History	15 – 25
E	Comments on Proposal	26 – 60
F	Community Infrastructure Levy	61
G	Conclusion	62 – 64
H	Other Matters	65 - 69

A. INTRODUCTION

1. I refer to the meeting (discussion) held on 30 September 2024 between the applicant/representatives and the Council in relation to the above scheme. The planning officer present at the meeting was [REDACTED] (Principal Planning Officer – South Area Team). Following on from the discussion at the meeting this is the Council's formal pre-application advice.



2. You submitted the following document for us to assess:

- Completed Pre-Application Enquiry Form
- Pre-Application Report with: Site location plan, Tree Preservation Order, Relevant Planning History Documents, Existing & Proposed Drawings, Indicative 3D Birdseye views.

3. The proposal, as set out in the Applicant's covering letter is for :

- Demolition of existing outbuildings as per the Ground Floor Demolition Plan.
- Existing atrium and roof/walls to be removed and roof/walls re-clad;
- New customer entrance feature to northeast (car park) elevation);
- Existing internal garden area to provide an ancillary café operated by HB with new shop front, new cladding and glazing;
- Servicing arrangements rationalised with existing gates removed and single enlarged gate installed with part removal part retention of boundary walls;
- 5 metre high mesh anti climb fence to perimeter of garden centre and external holding area;
- Creation of new 3 metre high services enclosure to rear of external holding area (plant for ancillary café) including fork lift truck shed;
- New goods in delivery door;
- New services enclosure on southeast elevation with 3 metre high enclosure;
- Roof mounted photovoltaic panels;
- Car park to be scraped, resurfaced and relined with all 149no. existing spaces retained including 6no. blue badge spaces and 6no. parent toddler spaces, together with 6no. cycle stands.
- For the avoidance of any doubt, all existing trees will be retained.

4. The existing and proposed floor areas are as follows:

	Existing	Proposed	Change (+/-)
Ground	3,199	2,511	-688
Mezzanine	1,566	-	-1,566
Total	4,765	2,511	-2,254

B. POLICY BACKGROUND

- *Legislation*

5. Planning applications are required to be determined in accordance with the statutory development plan unless material considerations indicate otherwise (S38(6) Planning and Compulsory Purchase Act 2004 and S70 Town & Country Planning Act 1990).



- **Policy / Guidance**

6. For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area comprises the:
 - London Plan 2021 (LP).
 - LB Lewisham Core Strategy 2011 (CS).
 - Development Management Local Plan 2014 (DMLP).
7. There are a large number of Supplementary Planning Documents (SPDs) in association with the London Plan and with Lewisham's adopted Development Plan documents. A relevant SPD is the A21 Development Framework and it is a planning guidance document produced by Lewisham Council which sets a vision, objectives and development strategy for the part of the A21 located within Lewisham and sites located alongside and close by to the road. It shows how potential development sites could be redeveloped to provide much needed housing which would include a high proportion of genuinely affordable housing. It also describes how local character, the historic environment, public spaces and movement along and across the A21 should be improved and shows how employment and commercial spaces can be delivered within new developments. The Applicant should also refer to other SPDs to be found on the planning policy pages of Lewisham's website and should also refer to London Plan Guidance documents on the Greater London Authority (GLA) website.
8. The following are also relevant material considerations:
 - The National Planning Policy Framework 2023 (NPPF)
 - National Planning Practice Guidance (NPPG).
 - National Design Guide 2019 (NDG).

Emerging Local Plan

9. We would draw the Applicant's attention to the emerging Lewisham Local Plan. On the 3rd of November 2023 Lewisham Council submitted the Lewisham Local Plan and its supporting documents to the Secretary of State for its independent examination and an Examination in Public occurred in June/July 2024. Relevant policies may now be given weight as appropriate in accordance with the NPPF (para 48). The Plan is expected to be adopted in the near future.

C. SITE & SURROUNDINGS

10. Existing Site

- The overall site area of the 'Applicant's red line edged site location plan' is 0.99 hectares.



- The site is occupied by a retail warehouse (Homebase) and falls within Use Class E(a). It has a ground floor and mezzanine floor and total GIA of 4,765 square metres. The site has a surface car park for 149 cars. Its primary two-way vehicular access and pedestrian access is from Beckenham Hill Road. There is a secondary one-way vehicle access (exit-only) from Bromley Road.
- The River Ravensbourne flows under the site.

11. Designations

- Emerging Local Plan - Site Allocation – South Area 10 - Homebase/Argos, Bromley Road.
- Growth Corridor (A21).
- Pond adjacent to red line extent is a Site of Importance for Nature Conservation (SINC). There is also a SINC to the east of the site on the opposite carriageway of Beckenham Hill Road.
- Flood Zone 1/2 but in a critical drainage area.
- Area TPO - PD/8/78/TPO
- Air Quality Management Area.

12. Heritage

- Archaeology Priority Area.
- (Setting) Grade II listed building, St. John's Church, on opposite side of Bromley Road.

13. Transport

- PTAL 3
- TfL - Red Route - Bromley Road and Beckenham Hill Road
- Bus routes on Bromley Road and Beckenham Hill Road.
- Nearest railway stations approximately 800m distance – Beckenham Hill ; Bellingham.

14. Surroundings

The site is bounded to the south-west by a sports ground designated as urban green space. The sports ground is accessed from Southend Lane.

Opposite the site is the Green Man Community Centre.

The nearest district centre, Downham, is to the east, approximately 600m distance.

D. PLANNING HISTORY

15. **DC/18/108884** - Application for variation of Condition 6 (restriction on sale of food) of Application LE/472/C/TP for the erection of a Home Improvement Centre with ancillary facilities, car parking, children's play area and tea room, granted by



appeal on 16 July 1982, in order to allow the sale of all goods falling with the A1 (retail) Use Class. **Granted planning permission 17/04/2019.**

16. **DC/17/103012** - The replacement of the existing barrel vaulted glazed roof with a metal clad parapet wall and flat roof system incorporating metal framed glazed rooflights. **Granted planning permission 09/10/2017.**
17. **DC/16/099392** - The installation of weather protection canopy within existing garden centre. **Granted planning permission 01/02/2017.**
18. **DC/10/074420** - Replacement racking to the rear of the site. **Granted planning permission 30/07/2010.**
19. **DC/10/074252** - Relocation of garden centre fence line to suit proposed extension of entrance lobby and introduction of glazed panels. **Granted planning permission 18/10/2010.**
20. **DC/10/074214** - Minor amendments to the original planning approval dated 8 August 2008 (DC/08/68594) for the formation of a mezzanine floor together with alterations to the main entrance, construction of an extension to the sales area at the front, provision of new trolley bays and canopies, alterations to the elevations and part of the car parking layout, in order to extend the existing single storey entrance lobby to form an enlarged new single storey entrance lobby accessed from the existing car park. **Granted planning permission 20/09/2010.**
21. **DC/10/074216/X** - The construction of an extension to the existing store entrance lobby. **Granted planning permission 27/07/2010.**
22. **DC/08/068594/X** - The formation of a mezzanine floor within part of Homebase Ltd, 10 Beckenham Hill Road SE6, together with alterations to the main entrance, construction of an extension to the sales area at the front, provision of new trolley bays and canopies, alterations to the elevations and part of the car parking layout. **Granted planning permission 08/08/2008.**
23. **DC/08/058594/X** - Fell a Whitebeam adjacent to 49 Pond Road, SE3 and carry out minor remedial and maintenance work as detailed in the schedule to other trees at 13-65 Pond Road, SE3. **Tree Consent 17/04/2000.**
24. **04/057271/X** - The formation of a mezzanine floor within part of Homebase Ltd, 10 Beckenham Hill Road SE6, together with the construction of extensions to the front and side to provide additional sales, office and warehouse floor space and W.C. facilities, alterations to the elevations, installation of canopies over the rear garden centre, main entrance and new trolley bays, alteration of part of the car parking layout and boundary fencing. **Granted planning permission 07/09/2004.**
25. **LE/472/C/TP** - Erection of a Home Improvement Centre with ancillary facilities, car parking, children's play area and tea room. **Granted planning permission (on appeal) 16/07/1982.**



E. COMMENTS ON PROPOSAL

26. Concept Pre-Application

27. The Applicant chose the ‘**concept**’ pre-application service and consequently Officer comments are limited as to whether the *principle of development* is acceptable or not. The Applicant should use the ‘full’ pre-application service for a more detailed response on proposed development.

28. Site Location Plan

29. The Applicant’s site location plan defines the development site through a red-edged line and it includes the existing store and associated car park. The site area within the red line is defined as 0.99hectares. However, we would dispute the validity of the red line as the development site as it does not include the vehicle access into the site.

30. Government guidance on this matter is clear, it states

What information should be included on a location plan?

A location plan should be based on an up-to-date map. The scale should typically be 1:1250 or 1:2500, but wherever possible the plan should be scaled to fit onto A4 or A3 size paper. A location plan should identify sufficient roads and/or buildings on land adjoining the application site to ensure that the exact location of the application site is clear.

*The application site should be edged clearly with a red line on the location plan. **It should include all land necessary to carry out the proposed development (eg land required for access to the site from a public highway, visibility splays, landscaping, car parking and open areas around buildings).** A blue line should be drawn around any other land owned by the applicant, close to or adjoining the application site.*

31. Therefore, you would need to include the vehicle accesses within the red line extent in order for a planning application to be validated. This also has implications for the application site area, as with the vehicle accesses included it is likely to exceed 1 hectare and, as such, it would be regarded as a ‘Major’ development proposal and would be assessed and determined as such. This has implications not only with regard to validation requirements but also how it is assessed against planning policy. The Council would also have regard to other criteria in the DMPO as to what constitutes major development.

32. Principle of Development

33. The proposal would require planning permission because although the proposed use of the site would still fall under Use Class ‘E (a) – Display or retail sale of goods’ the proposal would also involve operational development resulting from the proposed external works.



34. There are a couple of matters which directly affect principle of development for this site, the first is the Site Allocation in the emerging local plan and the second is the Housing Delivery Test. These matters are discussed below.
35. Site Allocation
36. The site is subject to a site allocation in Lewisham's emerging local plan which is at an advanced stage as it went through an examination process in the summer of 2024 and the emerging local will be adopted in the near future.
37. The site allocation in the emerging local plan is 'South Area 10: Homebase/Argos, Bromley Road'. It expects new development to bring forward "*Comprehensive residential-led mixed use redevelopment with compatible main town centre, commercial and community uses. Reconfiguration of existing buildings to facilitate a new layout with new and improved routes, both into and through the site, along with public realm and environmental enhancements*". For that objective it currently sets out a timeframe for delivery of 6 to 10 years and with an associated indicative capacity of 141 net residential units and for non-residential floorspace and an indicative capacity of 5,964sqm of main town centre uses.
38. The site allocation sets out opportunities for developing the site and sets out 5 specific development requirements and proposals must:
- i) Be delivered in accordance with the A21 Development Framework and consider co-location, phasing and balance of uses across the site, in line with Policy DM3 (masterplans and comprehensive development) Longer term redevelopment of the site should not prejudice the continued operation of the site's retail uses in the short to medium term;
 - ii) Provide positive frontages along Bromley Road and Beckenham Hill;
 - iii) Be fully re-integrated with the surrounding street network to improve access and permeability in the local area, with enhanced walking and cycle connections between public spaces, the site's surrounding neighbourhoods and Southend Village. This will require a hierarchy of routes with clearly articulated east-west and north-south corridors;
 - iv) Deliver new and improved public realm and open space, in accordance with a site-wide public realm strategy, including retention of the pond;
 - v) Must protect and seek to enhance green infrastructure, including SINC, urban green space and public open space;
39. The site allocation also sets out 8 development guidelines. The first of the guideline states "*Re-provision of the existing retail use is acceptable, providing other objectives for redeveloping the site (such as improved layout, walking, cycling, landscaping and alternative use of the surface car park) can be achieved*".



40. The other 7 guidelines set out a framework:
- i) to improve walking and cycling routes;
 - ii) to contribute to a healthy street, through improving walking, cycling and other active travel modes to improve the environment on the A21 growth corridor;
 - iii) to improve landscaping, biodiversity and green linkages whilst retaining existing trees on site and promoting amenity enhancements;
 - iv) to respond positively to the setting of the nearby listed building, St. John's Church;
 - v) to provide a positive relationship to the adjacent sports ground;
 - vi) to optimise the use of the land by reviewing options for the existing car park.
 - vii) and that Applicants should work in partnership with Thames Water and engage with them early to minimise impacts on groundwater, manage surface water, divert existing sewers where applicable and ensure infrastructure upgrades are delivered ahead of the site being occupied through a housing phasing plan. Given the adjacent watercourse, surface water should not be discharged to the public network. New connections into trunk sewers will not be allowed.
41. The current proposal would see an overall reduction in the proposed retail floor area of **2,254sqm** on site.
42. The site allocation seeks to deliver a mix of residential and main town centre uses. The current use, an out-of-centre big box retail warehouse is an inefficient use of urban land. As such, the site allocation provides development partners with an opportunity to pursue more a more sustainable, intensive mixed-use development typology. Within that context the Council can be justifiably said to be discharging its duty in meeting demand through the plan-making process in regard of the site allocation. A proposal for a single use development would run counter to that position.
43. The site allocation, as currently written, anticipates delivery of the site's redevelopment within years 6 – 10 of the plan period. Given that the scheme is seeking a single-use re-development, the in our view it would compromise the site allocation as a mixed-use prospect and would in turn be contrary to the presumption of sustainable development set out in the NPPF as it would not assist the Council in seeking to deliver new housing as required by the current punitive measures of the HDT. Consequently, the current proposal would not be supported.
44. It is noteworthy that the site has a history of being promoted for comprehensive redevelopment and has been identified as having residential capacity through the London Strategic Housing Land Availability Assessment (SHLAA). To our knowledge the landowner did not formally object to the site's allocation for



comprehensive redevelopment through the formal consultation processes on the emerging local plan nor through the Programme Officer for the Examination in Public of the emerging local plan.

45. The current proposal would result in a significant reduction in the retail floor area of the site. We would strongly recommend that the Applicant considers the advantages and opportunity to bring forward comprehensive re-development on the site in accordance with the site allocation for an uplift in main town centre floorspace and for the provision of new housing.
46. It is acknowledged that site allocation advises that longer term re-development of the site should not prejudice the continued operation of the site's retail uses in the short to medium term. However, that should not be read that a scheme coming forward *solely* for retail use would be supported, but instead that a proposed comprehensive re-development should not diminish the continuation of a retail use on the site and a holistic approach is required to ensure that the retail use can co-exist in harmony with a residential development on the site. There can also be multiple town centres uses on the site with overall floor area to align with the indicative floor area capacity set out in the site allocation. This is why it is important for a proposal to come forward that addresses both objectives of the site allocation to provide increased retail capacity and new residential uses on the site and which intensifies and optimises development on the site. The Applicant should engage development partners and consider they type of applications that could be submitted, such as an outline application, to meet the site allocation objectives particularly with regard to new housing. The Applicant could also consider phasing a proposed development to meet site allocation objectives.
47. Housing Delivery Test
48. The Housing Delivery Test (HDT) is an annual measurement of housing delivery in the area of relevant local planning authorities. It is a similar but parallel performance measurement to that required under the five-year housing land supply statement. However, for clarity, the former measures actual delivery (of new housing) whilst the latter provides a projection of anticipated housing supply. Both performance assessments introduce similar punitive measures that place burdens upon the local planning authority –for either insufficient supply or under-delivery. Both performance assessments apply the presumption in favour of sustainable development (NPPF Para 11 d), the former directly as the absolute intervention, the latter applying it as the so-called “tilted balance”.
49. Previously the HDT was monitored annually – with the results of the Test being published by the Government during November. In the aftermath of the global pandemic the Government temporarily suspended the Test – both in terms of publishing the results and the application of punitive measures. The suspension coincided with the Government's consultation on potential changes to the planning system and planning policy. These potential changes included the possibility of spreading the burden for poor performance across the planning and development sector – principally to include developers, who are logically assumed to have greater control over supply and on-the-ground delivery. These



possible measures were widely welcomed by local planning authorities – for the simple reason that they may have served to directly encourage those responsible for building new homes to deliver upon consents.

50. However, the Government has subsequently rowed-back upon these possibilities. This is articulated through the most recent NPPF (December 2023) and the simultaneous publication of the Test results (December 2023). In respect of the former, the NPPF further enshrines the HDT within national planning policy in respect of plan-making and decision-taking. In terms of the latter, the Test results trigger punitive measures that apply immediately.
51. The latest Housing Delivery Test results demonstrate that across Lewisham housing completions are significantly under-performing, at 51% of the requirement delivery target. The result imposes three penalties upon the Council which are:
 - At 95% under-delivery, the failing local planning authority is required to prepare, publish, and implement an action plan to assess the causes of under-delivery and identify actions to increase delivery in future years.
 - At 85% under-delivery the failing local planning authority must apply a 20% buffer on top of their established housing requirement, with the intended ambition that the application of the buffer boosts housing delivery; and
 - Below 75% under-delivery the presumption in favour of granting planning permission would apply.
52. As stated above these penalties take effect immediately.
53. Therefore, for Lewisham, poor delivery performance on the ground (at 51% of the agreed housing requirement) equates to the full suite of punitive measures comprised of a) the preparation and publication of an Action Plan (to address under-delivery); b) the presumption in favour of sustainable development; and c) the imposition of an additional 20% buffer (to specifically address significant under delivery of housing over the previous three years).
54. Decision-takers have been advised that the imposition of the presumption in favour of sustainable development is the most significant and immediate consequence of significant under-performance. Whilst this punitive measure has parallels and is similar to the presumption in favour of sustainable development imposed in the absence of a demonstrable five-year housing land supply, it is not applied in the same way and there are key differences. Fundamentally, within the Housing Delivery Test context, the application of the presumption is seeking to proactively bringing forward the completion of housing sites faster – it is not about increasing the supply of consented housing schemes. Decision-takers must note that currently the Council can demonstrate in excess of four-years housing land supply, and consequently is not subject to the presumption in respect of housing supply. Therefore, for decision-takers, the imposition of the presumption in favour of granting permission and the engagement of the ‘tilted balance’ is the most significant and immediate consequence of significant under-performance.



55. Therefore, proposals must be justified on the grounds of the presumption in favour of sustainable development as triggered by under delivery and must accord to that effect with the objectives of site allocations where they include provision for new housing development.
56. Furthermore, it is worth referring to the NPPF December 2023 and therein Chapter 2 'Achieving Sustainable Development'. This states (para 7) that 'The purpose of the planning system is to contribute to the achievement of sustainable development, including the provision of homes, commercial development, and supporting infrastructure in a sustainable manner. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs'.
57. The NPPF (para 8) states that 'Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):
- a) an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
 - b) a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being;
 - and c) an environmental objective** – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
58. Consequently, the NPPF sets out a clear presumption in favour of sustainable development and makes the local plan (including site allocations therein) the statutory starting point for decision-making on planning applications.
59. The NPPF, Chapter 4 on Decision Making, state that 'Local planning authorities may give weight to relevant policies in emerging plans according to:
- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
 - b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given);



and c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given (this is particularly relevant to Lewisham given the advanced stage of its emerging local plan).

Summary

60. Therefore, the Site Allocation in the emerging local plan sets out a clear direction for the principle of developing the site that any new development proposal should be intensifying mixed main town centre uses and new residential development to optimise any proposed development on the site. The Site Allocation objective is set in the context of meeting wider policy objectives, particularly housing need as evidenced by the SHLAA and HDT, and in the presumption of sustainable development as set out in the NPPF.

F. COMMUNITY INFRASTRUCTURE LEVY (CIL)

61. Where appropriate a proposal will require payment of both Mayoral and borough CIL. The amount due to be paid will be confirmed at a later date in a Liability Notice. Where appropriate the Applicant must submit completed CIL forms with a planning application. This is a validation requirement where appropriate.

G. CONCLUSION

62. The current proposal with regard to the principle of development, when assessed against the presumption in favour of sustainable development, and the Council's position in relation to the HDT, and the Site Allocation in the emerging local plan would **not** be supported. Instead, the proposal must show an intensification of uses on site and its comprehensive re-development, particularly to meet housing needs, that would optimise new development on the site.
63. We would strongly encourage the Applicant to consider how the site can be comprehensively re-developed to fully respond to the Site Allocation objectives. While it is acknowledged the Applicant is a retailer the Council would encourage the Applicant to consider engaging with other retail partners to bring forward additional retail floor space on the site, and to engage a development partner to deliver the new housing provision set out in the Site Allocation.
64. As advised in this response we disagree with the way in which the red line to define the application site has been drawn and the likely consequence is that the development site area, if drawn with the site access included, would exceed 1 hectare and the proposal would be defined as a 'major' development.

H. OTHER MATTERS

65. The submitted pre-application is for a 'concept' service and so the advice given is based on the 'principle of development only'. The Applicant would need to submit a full meeting pre-application service enquiry for advice on policy strands such as design, housing, social infrastructure, economy, heritage and culture,



green infrastructure and natural environment, sustainable infrastructure, transport, and related matters of CIL and planning obligations.

66. There is a planning validation checklist on the planning pages of our website.
67. We strongly encourage the Applicant to optimise the development opportunity for the site in line with the Site Allocation in the emerging local plan and, on that basis, to engage with the Council's 'full' pre-application meeting service before the submission of a planning application.
68. The roads adjacent to the site are Red Routes managed by Transport for London and they offer their own pre-application service which we strongly recommend the Applicant uses.
69. This is informal officer advice and does not bind the Council to a decision.

Yours sincerely,


Principal Planning Officer
for South Area Planning Team



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

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Last Name

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Address

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E-mail Address

Telephone number

Part B (Use a separate sheet for each response)

Please note: Those responding to the consultation may only comment on the soundness of the proposed Main Modifications. There is no opportunity to comment on other aspects of the new Local Plan that do not correspond with a proposed Main Modification.

Reference:

MM

Comment: Why is the Main Modification unsound?

Part C (Use a separate sheet for each response)

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Reference:

AM/ PCSPM

Comment:

MM72

Criterion A

1. The suggested Modifications are welcomed and supported. However, Policy EC4 relates to “low cost and affordable workspace”. The wording that has been added is taken from London Plan Policies E3: Affordable Workspace. Policies dealing with workspace are elsewhere in the plan. The policy should therefore make clear that it applies to affordable workspace.
2. The Policy should be amended as follows (additions in **bold**):

“Development proposals incorporating **affordable** workspace should ensure that provision is made for suitable types and sizes of units, at an appropriate range of rents, particularly to meet the specific needs of ~~micro, small and medium sized businesses, including start-ups~~ specific social, cultural, or economic development uses. This approach towards affordable and relatively low-cost workspace is in alignment with the London Plan.”

Criterion B

3. It is not possible to re-provide low cost floorspace – it is low cost because it is poor quality. “New low cost floorspace” is a contradiction in terms. London Plan Policy E3 Affordable Workspace does not seek to re-provide low cost workspace. It simply seeks to provide affordable workspace where low-cost floorspace is lost (criterion B(2)). This criterion should therefore be amended to only refer to reprovision of affordable workspace.
4. The suggested Main Modification about exceptions is welcomed and supported. However, the criterion should be amended to exclude Strategic Industrial Locations. As explained in our Hearing Statement (paragraphs 18-36) Strategic Industrial Locations are vital to the achievement of the ambitions of the London Plan and the emerging Local Plan and they are expected to be intensified. This objective will be undermined if they also have to provide a range of unit sizes at a range of rents for

smaller businesses and if they are required to provide affordable workspace and protect low-cost workspace.

5. The Policy should be amended as follows (additions in **bold**, deletions in ~~**bold-strike through**~~):

“Where there is existing affordable ~~and relatively low-cost~~ workspace this should be retained or re-provided. The exception being in **Strategic Industrial Locations and other locations** when on-site retention demonstrably harms opportunities for investment and the delivery of industrial employment intensification. Development proposals should use the design-led approach to explore options for retaining, re-purposing or creating new affordable ~~and low-cost~~ workspace that is designed to a high specification and will remain suitable for local businesses, including small businesses and those in the cultural, creative and digital industries. ~~Low-cost~~ Affordable ~~and relatively low-cost~~ workspace should be let at reasonable local market rates to encourage take-up of units and support business development, particularly by addressing financial barriers in access to workspace”.

Criterion D

6. The suggested Modifications are welcomed and supported. However, the criterion should be amended to exclude Strategic Industrial Locations. As explained in our Hearing Statement (paragraphs 18-36) Strategic Industrial Locations are vital to the achievement of the ambitions of the London Plan and the emerging Local Plan and they are expected to be intensified. This objective will be undermined if they also have to provide a range of unit sizes at a range of rents for smaller businesses and if they are required to provide affordable workspace and protect low-cost workspace.
7. The text should be amended as follows (additions in **bold**, deletions in ~~**bold-strike through**~~):

“New major commercial development proposals for Class E(g) office and light industrial, Class B2 industrial, Class B8 storage and distribution and similar Sui

Generis uses ~~must~~ should when demonstrably viable make provision for affordable workspace. Developments must provide at least 10per cent of the rentable floorspace (Net Internal Area) as affordable workspace at 50 per cent of market rents. Affordable workspace should be provided on-site. Exceptions to this approach will be in Strategic Industrial Locations and will be considered where proposals demonstrate, through robust technical evidence, that the provision of new on-site affordable and low-cost workspace will harm the delivery of industrial employment intensification. This is inclusive of proposals located within Strategic Industrial Locations that specifically seek to improve and increase industrial capacity. Off-site provision will only be acceptable where it is demonstrated to the satisfaction of the Council that on-site provision is not feasible or off-site provision will achieve greater economic benefits. Off-site provision will be secured through planning obligations with payments in lieu calculated using the formula set out in Table 8.2 (Affordable workspace payments in lieu). Payment in lieu contributions will be used to support the provision of affordable workspace in Lewisham. ~~Further details will be set out in the Planning Obligations SPD.~~

26 March 2025

22110/NT20250326

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Reference:

MM

Comment: Why is the Main Modification unsound?

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Reference:

AM/ PCSPM

Comment:

MM73

Paragraph 8.23

1. Paragraph 8.23 explains what is mean by workspace. The Main Modification text says that “the new Local Plan seeks to explore opportunities for new affordable and relatively low-cost workspace as component parts of proposals for B2 and B8 uses”. However, it is not possible to provide new low cost floorspace – it is low cost because it is poor quality. “New low cost floorspace” is a contradiction in terms.
2. London Plan Policy Policy E3 Affordable Workspace and Policy E5: Strategic Industrial Locations do not seek to provide low-cost workspace. Draft Local Plan Policy EC4 does not require the provision of new low-cost workspace (Criterion B deals with re-provision of existing low cost floorspace. Criterion D deals with providing new affordable workspace). Paragraph 8.23 did not originally seek new low-cost workspace. It is not appropriate for this requirement to be in supporting text and not in policy. It is also not appropriate to introduce this requirement in Main Modifications without the opportunity to test this at Examination. The text should be amended as follows (deletions in ~~bold strike through~~):

“As set out in the London Plan, low-cost workspace refers to secondary and tertiary space that is available at open market rents, which is of a lower specification than prime space. This type of space is often located at the back of town centre sites, under railway arches and in smaller or constrained industrial sites. It accommodates traditional business sectors and, in Lewisham, has a key local role in supporting the cultural, creative and digital industries. Low-cost workspace has typically been scattered across town centres and areas such as New Cross and Deptford. Clusters are also present along the Overground line corridor, for example, around Forest Hill and Brockley stations. However, the availability of low-cost workspace is increasingly limited given the Borough’s diminishing employment land supply, rising market rates for commercial space and competing pressure on employment sites from higher value land uses. Consequently, the new Local Plan seeks to explore

opportunities for new affordable and relatively low cost workspace as component parts of proposals for B2 and B8 uses. This approach is in alignment with the London Plan Policy E5, which highlights that SILs are important in meeting the needs of SMEs. The Council acknowledges that it may not always be possible for new development to deliver new low cost workspace. This is because it may harm the financial return required to offset the investment being made in the site. Consequently, in such circumstances development partners are encouraged to clearly and robustly demonstrate that their proposals for new development will deliver improvements in the on-site quality and intensity of new industrial employment provision.

26 March 2025

22110/NT20250326

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Reference:

MM

Comment: Why is the Main Modification unsound?

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Reference:

AM/ PCSPM

Comment:

MM74

Paragraph 8.28

1. Paragraph 8.28 deals with how affordable workspace should be provided on site. However, the Main Modifications refer to low-cost workspace. To avoid confusion this should be deleted.
2. The text should be amended as follows (additions in **bold**, deletions in ~~bold-strike through~~):

“Affordable workspace should normally be provided on-site. The policy sets out three options for delivering workspace to ensure it is appropriately secured and managed. Applicants should engage with workspace providers and representative groups, such as the Lewisham Workspace Providers Forum, early in the design-led approach. This will help to ensure the design is suited to the requirements of the end user(s) and can also assist with the identification of providers. Applications should include evidence of an agreement to lease the affordable workspace along with a Workspace Management Plan, where appropriate. In most circumstances, proposals will be required to maintain, or retain existing affordable ~~or low-cost~~ floorspace that is already present on site. Exceptions to this approach will be considered, subject to the proposal robustly demonstrating that it is necessary to replace existing provision in order to deliver higher intensity industrial employment uses on-site. Such proposals will be supported by technical evidence that demonstrate how industrial employment intensification will be delivered on the site, and the economic benefits that it will bring to the Capital, the Central Activity Zone and the Borough. Proposals for new commercial development that deliver improved and higher intensity industrial employment uses will be positively considered, subject to meeting other Local Plan policy requirements. Flexibility may be applied for equivalent off-site contributions in exceptional circumstances, including payments in lieu, where it is demonstrated to the satisfaction of the Council that on-site provision is not feasible or off-site provision will provide

greater economic benefits. Payment in lieu contributions, which will be secured using the formula set out in Table 8.2 (Affordable workspace payments in lieu). Further details will be set out in the future Planning Obligations SPD.”

26 March 2025

22110/NT20250326



David Wilson

E: [REDACTED]
[REDACTED]

Lewisham Council
Issued via email:
localplan@lewisham.gov.uk

1st Floor West
Clearwater Court
Vastern Road
Reading
RG1 8DB

03 March 2025

London Borough of Lewisham Local Plan Examination Main Modifications

Dear Sir/Madam,

Thank you for allowing Thames Water Utilities Ltd (Thames Water) to comment upon the above.

As you will be aware, Thames Water are the statutory sewerage and water undertaker for the Borough and are hence a 'specific consultation body' in accordance with the Town & Country Planning (Local Planning) Regulations 2012. We have the following comments:

Mod Ref: MM166 – Paragraph 14.24

We support the amended wording in relation to early engagement with Thames Water.

The amended wording references wastewater assets specifically, but should equally reference water infrastructure. We would therefore suggest that it reads as follows:

“Applicants should work in partnership with Thames Water and engage with them early to minimise impacts on groundwater, manage surface water, protect water and wastewater assets where applicable, allow access for maintenance and repair of water and wastewater assets and ensure infrastructure upgrades are delivered ahead of the site being occupied through a housing phasing plan. Given the adjacent watercourse, surface water should not be discharged to the public network.”

This amended wording will need to be replicated in: MM170, MM181, MM197, MM199, MM209, MM211, MM224, MM227, MM233, MM237, MM240, MM257, MM268, MM271, MM274, MM277, MM280 and MM286.

Water and wastewater infrastructure is essential to any development and capacity should be ensured through the planning process. Failure to ensure that any required upgrades to the infrastructure network are delivered alongside development could result in adverse impacts in the form of internal and external sewer flooding and pollution of land and water courses and/or low water pressure.

A key sustainability objective for the preparation of Local Plans and Neighbourhood Plans 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 20 of the revised National Planning Policy Framework (NPPF), states: *“Strategic policies should set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for... infrastructure for waste management, water supply, wastewater...”*

Paragraph 11 states: *“Plans and decisions should apply a presumption in favour of sustainable development. For plan-making this means that:*

a) All plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects”

Paragraph 28 relates to non-strategic policies and states: *“Non-strategic policies should be used by local planning authorities and communities to set out more detailed policies for specific areas, neighbourhoods or types of development. This can include allocating sites, the provision of infrastructure...”*

Paragraph 26 of the revised NPPF goes on to state: *“Effective and on-going joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy. In particular, joint working should help to determine where additional infrastructure is necessary....”*

The web based National Planning Practice Guidance (NPPG) includes a section on ‘water supply, wastewater and water quality’ and sets out that Local Plans should be the focus for ensuring that investment plans of water and sewerage/wastewater companies align with development needs. The introduction to this section also sets out that *“Adequate water and wastewater infrastructure is needed to support sustainable development”* (Paragraph: 001, Reference ID: 34-001-20140306).

It is important to consider the net increase in water and wastewater demand to serve the development and also any impact that developments may have off site, further down the network. The new Local Plan should therefore seek to ensure that there is adequate water and wastewater infrastructure to serve all new developments. Thames Water will work with developers and local authorities to ensure that any necessary infrastructure reinforcement is delivered ahead of the occupation of development. Where there are infrastructure constraints, it is important not to under estimate the time required to deliver necessary infrastructure. For example: local network upgrades take around 18 months and Sewage Treatment & Water Treatment Works upgrades can take 3-5 years.

Thames Water offer a free Pre-Planning service which confirms if capacity exists to serve the development or if upgrades are required for potable water, waste water and surface water requirements. Details on Thames Water’s free pre planning service are available at: <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/water-and-wastewater-capacity>

The amended text is supported in relation to early engagement with the water and sewerage company and the potential need for phasing of development is supported.

Mod Ref: MM143 – Policy SD10

We supported this Policy at the Reg 19 stage and we support the additional wording in relation to identifying the strategic objectives.

Mod Ref: MM144 – Paragraph 11.68

We support the additional wording in relation to water efficiency and using the 'Fittings Approach' along with planning conditions.

This is important as the Environment Agency has designated the Thames Water region to be "seriously water stressed" which reflects the extent to which available water resources are used. Future pressures on water resources will continue to increase and key factors are population growth and climate change.

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 support the mains water consumption target of 110 litres per head per day (105 litres per head per day plus an allowance of 5 litres per head per day for gardens) as set out in the NPPG (Paragraph: 014 Reference ID: 56-014-20150327) and support the inclusion of this requirement in the Policy.

Thames Water promote water efficiency and have a number of water efficiency campaigns which aim to encourage their customers to save water at local levels. Further details are available on the our website via the following link:

<https://www.thameswater.co.uk/Be-water-smart>

It is our understanding that the water efficiency standards of 110 litres per person per day is only applied through the building regulations where there is a planning condition requiring this standard (as set out at paragraph 2.8 of Part G2 of the Building Regulations). As the Thames Water area is defined as water stressed it is considered that such a condition should be attached as standard to all planning approvals for new residential development in order to help ensure that the standard is effectively delivered through the building regulations.

Within Part G of Building Regulations, the 110 litres/person/day level can be achieved through either the 'Calculation Method' or the 'Fittings Approach' (Table 2.2). The Fittings Approach provides clear flow-rate and volume performance metrics for each water using device / fitting in new dwellings. Thames Water considers the Fittings Approach, as outlined in Table 2.2 of Part G, increases the confidence that water efficient devices will be installed in the new dwelling. Insight from our smart water metering programme shows that household built to the 110 litres/person/day level using the Calculation Method, did not achieve the intended water performance levels.

Yours faithfully,

David Wilson
Thames Water Property Town Planner

[REDACTED]

From: [REDACTED]
Sent: 25 March 2025 10:15
To: LocalPlan
Cc: [REDACTED]
Subject: Proposed Development Site: 113-157 Sydenham Road
Attachments: IMG_2950.jpg

To Whom It May Concern,

I am writing to express my concern regarding the inclusion of the Dolphin Pub in the proposed development site, as indicated in the recent consultation. It is unclear whether this means the pub will be demolished to make way for the new development.

While I support the initiative to build new housing and enhance the local area, the demolition of one of the most popular community hubs, the Dolphin Pub, would be highly detrimental. If 157 residential units are to be added, it is essential to provide facilities for the residents. Removing the Dolphin Pub, a key community asset, would be counterproductive. Instead, additional facilities should be constructed to accommodate the increased population.

I may have misunderstood the site plan, but it appears that the Dolphin Pub is within the development footprint. This pub is currently the best in the area, and I anticipate significant community opposition to its demolition. I strongly urge that the Dolphin Pub be preserved and integrated into the new development.

Thank you for your attention to this matter.

Sincerely,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



Lewisham Planning Policy
London Borough of Lewisham
Laurence House
1 Catford Road, Catford
London
SE6 4RU

25 March 2025

Dear Sir or Madam,

Representations to the London Borough of Lewisham Proposed Main Modifications (MMs) and Additional Modifications (AMs) to the Local Plan January 2025

On behalf of Sainsbury's Supermarkets Ltd (SSL), we write in response to the Local Plan Main Modifications and Additional Modifications consultation prepared by the London Borough of Lewisham (LBB) following the independent examination of the Lewisham Local Plan.

WSP have previously submitted representations to the Inspector's Matters, Issues and Questions (MIQ) for Examination in July 2024 regarding matters 7,18,19 and 20. Previously WSP submitted representations on behalf of SSL to the Regulation 18 and Regulation 19 consultations. However, there are still outstanding matters that have not been addressed that need to be reconciled in the final version of the emerging Local Plan.

Sainsbury's own three large stores in Lewisham. Sainsbury's stores at Lee Green and at Bell Green (Sydenham) have been allocated within the draft local plan for redevelopment. The Lee Green and Bell Green stores provide over 500 jobs on site. These jobs should be as highly valued as jobs in other employment sectors. Sainsburys Lee Green store currently has over 30,000 transactions (excluding online sales) every week and the Bell Green store has 45,000 transactions.

Sainsbury's third large store is at New Cross Gate. Their store and petrol filling station, as well as the retail warehousing and associated car parking. This whole site is allocated in the New Local Plan as safeguarded land to accommodate the Bakerloo Line Extension (BLE). TfL's intention is that the site is a tunnelling works site and the location of the New Cross Gate station. The evidence submitted to the examination confirms that this site is not the best site for a station and it is not suitable for a tunnelling site works.

Although SSL have fully participated in the Local Plan process, and they are a major landowner and employer in Borough, the Council have made no effort to engage with them positively and these modifications reflect the Council's unwillingness to acknowledge SSL's concerns or recognise SSL's desire to continue to safeguard their stores and the jobs of colleagues that work in them. It is deeply disappointing.

Despite this, we set out our comments to the changes that are proposed below, although we appreciate that the Council is unlikely to act on them.

WSP House
70 Chancery Lane
London
WC2A 1AF
Tel: +44 20 7314 5000
Fax: +44 20 7314 5111
wsp.com

Site Allocation – SA11 New Cross Gate Retail Park

MM226 - Policy LNA SA11

SSL welcome changing the site's name from the "Former Hatcham Works" site to "New Cross Gate Retail Park". However, we note that this amendment to the site's name has not been carried through and there are still references to the Former Hatcham Works elsewhere in the Plan, including in the Main Modifications and the Additional Modifications. For consistency and to avoid confusion, references to the Former Hatcham Works need to be replaced with New Cross Gate Retail Park.

Timeframe for delivery

SSL have grave doubts about the delivery of the BLE. The MM 226 pushes the delivery timeframe for New Cross Gate Retail Park from 6-10 years to 11-15 years. However, SSL still consider this to be ambitious given the ongoing economic headwinds and the well documented pressure on public spending. A more realistic timeframe is beyond 15 years, and the Plan should state this.

MM227 - Paragraph 15.73

SSL object to of the addition of the wording: "including the potential for a replacement food store," within paragraph 15.73. Providing a replacement foodstore is fundamental to safeguarding the vitality and viability of New Cross/New Cross Gate District Centre. The words: "the potential for" should be deleted. The addition should state: **"including a replacement foodstore."**

AM55 - Opportunities

Acknowledging the size of the Sainsbury's store is welcomed. The amendment should also provide the floorspace for the existing retail warehousing on the site.

The site name should be changed to New Cross Retail Park to reflect MM226.

Site Allocation - SA12 Goodwood Road and New Cross Road

MM228 – Site Allocation

This amendment should recognise the site's potential to accommodate the BLE station.

Site Allocation – SA4 Sainsbury's Lee Green

MM 251 - Site Details

SSL is supportive of the amendment to the boundary which omits two curtilage structures which are adjacent to the Police Station. This reduces the site area from 1.05ha to 1.02ha.

The proposed main modifications increase the site's capacity from 111 net residential units to 156. An indicative capacity of 156 is too low. The provision of only 156 units is likely to be too low to make the redevelopment viable. Also, to meet Lewisham and London's housing needs, it is vital that sites such as Lee Green deliver the maximum housing numbers achievable. Unless there is a desire to make the best use of such sites, London's housing crisis will not be addressed.

To put this in context, Leegate Shopping Centre has an indicative capacity of 562 units and 3,796sqm of main town centre floorspace (see MM 249). This site is 1.9ha. Based on the Leegate residential density, the Sainsbury's site could accommodate 300 units.

Therefore, the indicative housing capacity should state that 300 units can be delivered.

AM58– Paragraph 16.31

SSL welcome the reference to the foodstore covering 6,672sqm within paragraph 16.31, but the Plan must refer to the need to provide a replacement foodstore, in accordance with our original representations.

We suggest that the amendment state:

*“The existing foodstore covers a gross floorspace of 6,672sqm. **The redevelopment must accommodate a replacement foodstore of a comparable scale.**”*

Site Allocation – SA3 Sainsbury’s Bell Green

MM272 - Policy SA3

The timeframe for delivery of the site has been moved from 11-15 years to 6-10 years. This is welcomed, but redevelopment will not happen unless the redevelopment scheme includes a replacement foodstore.

AM60 - Paragraph 17.24

The new reference adds: “The existing foodstore covers a gross area of 14,060 sqm”. SSL welcome this reference, but the Plan must refer to the need to re-provide a foodstore of comparable size, in accordance with the SSL’s original submissions. We suggest that the amendment state:

*“The existing foodstore covers a gross floorspace of 14,060sqm. **The redevelopment must accommodate a replacement foodstore of a comparable scale.**”*

MM273 - Paragraph 17.25

The new reference to the lead developer having to “demonstrate” that they have taken “all reasonable efforts” to undertake “positive” and “meaningful” engagement with other relevant neighbouring land interests is meaningless and unhelpful. Positive engagement cannot be demonstrated unless other parties are willing to engage. Neither the Council nor the landowner can ensure other parties will engage in the process. This text must be deleted or amended to state:

*~~“It is the responsibility of the~~ **The** ~~lead landowner/ developer (who is bringing forward the site-wide master plan) to demonstrate that they have taken all reasonable efforts to undertake positive and meaningful engagement~~ **should seek to engage positively** ~~with other relevant neighbour land interests.”~~*

MM274 - Paragraph 17.26

MM274 adds the provision of include a new statement:

“12. Development proposals should consider and where justified make re-provision of a food store on the site. Subject to it being practicable and viable, this will include facilitating its continuous operation during construction.”

The new text should not require the reprovision of the foodstore to be justified. The provision of a replacement foodstore is fundamental to making the redevelopment acceptable to the landowner. As explained in the original representations, unless this is provided, the site will not come forward for redevelopment. The amendment should be altered to replace the words “consider where justified” with “should provide a replacement food store” of a comparable scale to the existing.

Therefore, MM274 would state:

*"12. Development proposals should consider and where justified make re-provision of **provide a replacement** food store on the site **of a comparable size to the existing**. Subject to it being practicable and viable, this will include facilitating its continuous operation during construction."*

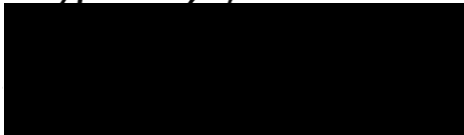
Summary

SSL is disappointed that almost every single point made in their representations over the last 7 years, including whilst attending the Examination, have been ignored by the Council. The reason that Plans are consulted upon is so that interested parties can have positive and meaningful engagement with the Council (see MM273). This simply has not happened. For example, over 7 years, SSL have repeatedly stated that any redevelopment of stores in their ownership will not happen unless a replacement store is provided. The Council cannot even agree to include this simple wording. When the Council have no genuine intention of amending the policies and proposals to address the concerns of interested parties, it brings the Local Plan system in disrepute.

The Council's reluctance to engage positively means that the emerging Lewisham Plan is not positively prepared, justified, consistent with National Policy and it will not be effective in delivering the housing and commercial development the people of Lewisham need to thrive.

If you require any further information, please do not hesitate to contact me or my colleagues, Arabella Fraser or Hamish Dean.

Yours faithfully,



Sean McGrath

Consultation on the Proposed Modifications in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 Regulation 24 – Standard Response Template

This form has two parts

Part A – Personal details to be completed once

Part B – Your response(s) to the Proposed Main Modifications.

Part C – Your response(s) to the Proposed Additional Modifications and/ or Proposed Changes to the Submitted Proposals Map

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

Part A – Personal Details

All representations will be made public along with the name of the person making the submission, all other personal information will be kept confidential. Following the conclusion of the Consultation, all responses that relate to the Proposed Main Modifications will be passed to the appointed Independent Inspectors for their consideration.

Title

First Name

Last Name

Job Title

Organisation

Address

Post code

E-mail Address

Telephone number

Part B (Use a separate sheet for each response)

Please note: Those responding to the consultation may only comment on the soundness of the proposed Main Modifications. There is no opportunity to comment on other aspects of the new Local Plan that do not correspond with a proposed Main Modification.

Reference:

MM

Comment: Why is the Main Modification unsound?

Part C (Use a separate sheet for each response)

Please note: the Council is also inviting comments on the Lewisham Local Plan Additional Modifications Schedule (January 2025) and the Lewisham Local Plan Changes to the Submitted Policies Map (January 2025). These are outside the scope of the Examination. The Council will consider responses relating to these two documents and will be responsible and accountable for making these Additional Modification, or Proposed Changes to the Submitted Policies Map upon adoption of the Plan.

Reference:

AM/ PCSPM

Comment:

Please see below our comments on the proposed Main Modifications.

Modification	Policy	Comment
MM56	HO7	<p>We partially support the changes to part A of the policy which introduce more positive wording but these changes do not go far enough to make the policy sound and therefore we <u>object</u> to adoption in its current form of wording. In accordance with our hearing statement and the discussion at the Examination in Public, Part A of the policy, as drafted, states that PBSA will not be permitted where it ‘<i>compromise[s] delivery against the Borough’s strategic housing target and principal need for conventional housing</i>’. In our view, this is not in accordance with the London Plan (and what is stated at paragraph 7.57 of the draft Lewisham Local Plan), which is clear that ‘<i>Net non-self-contained accommodation for students should count towards meeting housing targets on the basis of a 2.5:1 ratio, with two and a half bedrooms/units being counted as a single home.</i>’ This is based on the Government’s Housing Delivery Test Measurement Rulebook and is specifically in reference to monitoring requirements and is based on ‘<i>the amount of self-contained housing this form of supply will free up</i>’. Therefore, the delivery of PBSA simply does not affect the Borough’s ability to deliver its housing target and will free up self-contained conventional housing where it is currently being occupied by students as a private rented dwelling.</p> <p>This approach does not comply with the NPPF paragraph 61¹ and 63² in that it seeks to restrict delivery of a type of housing supply. In our view, as long as the need is demonstrated sufficiently at the Development Management stage (and in accordance with part Aa of the policy more generally in ‘help[ing] to meet an identified need’, there is no strategic policy provision for using a Local Plan policy to restrict supply.</p>

¹ To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet as much of an area’s identified housing need as possible, including with an appropriate mix of housing types for the local community.

² Within this context of establishing need, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies. These groups should include (but are not limited to) those who require affordable housing; families with children; older people (including those who require retirement housing, housing-with-care and care homes); students...

		<p>Maintaining the use of this text in the policy wording is not sound as it is not positively prepared or consistent with national policy. It is also not effective, as it is unclear how this policy will be applied because the concept of PBSA compromising delivery against conventional housing does not make sense in practice.</p> <p>We suggest, as we did at the Examination in Public, that part Aa. Of the policy is amended as below:</p> <p><i>Development proposals for Purpose Built Student Accommodation (PBSA) will only be supported where it is demonstrated that:</i></p> <p><i>a. They help to meet an identified need for this type of housing (giving priority to the local student population), will not compromise delivery against the Borough's strategic housing target and principal need for conventional housing, and will not result in a harmful overconcentration of PBSA taking into account:</i></p> <p><i>i. The amount of PBSA within the Borough and the area within which the development is proposed, having regard to past delivery and consented but undelivered PBSA; and</i></p> <p><i>ii. The proportion of PBSA provided in relation to the overall mix of housing within the development, and where relevant a masterplan or site allocation.</i></p> <p>We support the changes made to part Ac. Of the policy to bring the policy in line with the London Plan.</p>
MM67	EC7 (supporting paragraph 8.12)	Overall, we support the additional wording which offers flexibility for employment floorspace within MELs.
MM81	EC7	Overall, we support the additional wording in part A of the policy which offers flexibility for employment floorspace within MELs. However, we consider that this is not consistent with part Cb. Of the policy which requires no net loss of existing industrial capacity. If the aim for MELs is to allow regeneration through flexibility on types of employment floorspace, the 'no net less' element for industrial floorspace should be reworded to

		allow for alternation employment and job-generating floorspace. This is particularly relevant for MELs within the designated Creative Enterprise Zones where not all uses will fit within industrial use classes.
MM82, MM83	EC7 (supporting paragraphs 8.39 and 8.42)	Same issue as comments at MM81.
MM157	Paragraph 13.8	<p>We do not consider that this supporting text is sound because it does not reflect points agreed in signed and submitted Statements of Common Ground as below:</p> <p><i>The term residential uses is inclusive of all types of accommodation including conventional housing, student housing, co-living products and specialist housing.</i></p> <p>This is not reflected in any of the descriptions of the site allocation or housing policies. We consider that either a definition should be provided in the Glossary which is reflected in the wording, or that this wording be reflected in the site allocation text themselves.</p>

Consultation on the Proposed Modifications in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 Regulation 24 – Standard Response Template

This form has two parts

Part A – Personal details to be completed once

Part B – Your response(s) to the Proposed Main Modifications.

Part C – Your response(s) to the Proposed Additional Modifications and/ or Proposed Changes to the Submitted Proposals Map

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

Part A – Personal Details

All representations will be made public along with the name of the person making the submission, all other personal information will be kept confidential. Following the conclusion of the Consultation, all responses that relate to the Proposed Main Modifications will be passed to the appointed Independent Inspectors for their consideration.

Title

Miss

First Name

Phoebe

Last Name

Juggins

Job Title

Senior Planning Manager

Organisation

Address

Post code

E-mail Address

Telephone number

Part B (Use a separate sheet for each response)

Please note: Those responding to the consultation may only comment on the soundness of the proposed Main Modifications. There is no opportunity to comment on other aspects of the new Local Plan that do not correspond with a proposed Main Modification.

Reference:

MM56

Comment: Why is the Main Modification unsound?

Policy HO7

We partially support the changes to part A of the policy which introduce more positive wording but these changes do not go far enough to make the policy sound and therefore we object to adoption in its current form of wording. In accordance with our hearing statement and the discussion at the Examination in Public, Part A of the policy, as drafted, states that PBSA will not be permitted where it 'compromise[s] delivery against the Borough's strategic housing target and principal need for conventional housing'. In our view, this is not in accordance with the London Plan (and what is stated at paragraph 7.57 of the draft Lewisham Local Plan), which is clear that 'Net non-self-contained accommodation for students should count towards meeting housing targets on the basis of a 2.5:1 ratio, with two and a half bedrooms/units being counted as a single home.' This is based on the Government's Housing Delivery Test Measurement Rulebook and is specifically in reference to monitoring requirements and is based on 'the amount of self-contained housing this form of supply will free up'. Therefore, the delivery of PBSA simply does not affect the Borough's ability to deliver its housing target and will free up self-contained conventional housing where it is currently being occupied by students as a private rented dwelling.

This approach does not comply with the NPPF paragraph 61 and 63 in that it seeks to restrict delivery of a type of housing supply. In our view, as long as the need is demonstrated sufficiently at the Development Management stage (and in accordance with part Aa of the policy more generally in 'help[ing] to meet an identified need', there is no strategic policy provision for using a Local Plan policy to restrict supply.

Maintaining the use of this text in the policy wording is not sound as it is not positively prepared or consistent with national policy. It is also not effective, as it is unclear how this policy will be applied because the concept of PBSA compromising delivery against conventional housing does not make sense in practice.

We suggest, as we did at the Examination in Public, that part Aa. Of the policy is amended as below:

Development proposals for Purpose Built Student Accommodation (PBSA) will only be supported where it is demonstrated that:

- a. They help to meet an identified need for this type of housing

We support the changes made to part Ac. Of the policy to bring the policy in line with the London Plan.

Part C (Use a separate sheet for each response)

Please note: the Council is also inviting comments on the Lewisham Local Plan Additional Modifications Schedule (January 2025) and the Lewisham Local Plan Changes to the Submitted Policies Map (January 2025). These are outside the scope of the Examination. The Council will consider responses relating to these two documents and will be responsible and accountable for making these Additional Modification, or Proposed Changes to the Submitted Policies Map upon adoption of the Plan.

Reference:

AM/ PCSPM

Comment:

Part B (Use a separate sheet for each response)

Please note: Those responding to the consultation may only comment on the soundness of the proposed Main Modifications. There is no opportunity to comment on other aspects of the new Local Plan that do not correspond with a proposed Main Modification.

Reference:

MM 81, 82, 83

Comment: Why is the Main Modification unsound?

Policy EC7

Overall, we support the additional wording in part A of the policy which offers flexibility for employment floorspace within MELs. However, we consider that this is not consistent with part Cb. Of the policy which requires no net loss of existing industrial capacity. If the aim for MELs is to allow regeneration through flexibility on types of employment floorspace, the 'no net less' element for industrial floorspace should be reworded to allow for alternation employment and job-generating floorspace. This is particularly relevant for MELs within the designated Creative Enterprise Zones where not all uses will fit within industrial use classes.

Part B (Use a separate sheet for each response)

Please note: Those responding to the consultation may only comment on the soundness of the proposed Main Modifications. There is no opportunity to comment on other aspects of the new Local Plan that do not correspond with a proposed Main Modification.

Reference:

MM 157

Comment: Why is the Main Modification unsound?

Paragraph 13.8

We do not consider that this supporting text is sound because it does not reflect points agreed in signed and submitted Statements of Common Ground as below:

The term residential uses is inclusive of all types of accommodation including conventional housing, student housing, co-living products and specialist housing.

This is not reflected in any of the descriptions of the site allocation or housing policies. We consider that either a definition should be provided in the Glossary which is reflected in the wording, or that this wording be reflected in the site allocation text themselves.

Strategic Planning team
London Borough of Lewisham

Sent via email

Our ref: SL/2024/123585/CS-
01/EW1-L01

Your ref: Main modifications

Date: 8 April 2025

Dear Strategic Planning team,

Consultation on proposed main modifications to Lewisham Local Plan.

Thank you for consulting the Environment Agency on the proposed main modifications to the Lewisham Local Plan on 13 February 2025. We apologise for the delay in response.

We aim to help you prepare and implement a sound, robust, and effective Local Plan that is reflective of national and regional planning policy and the local evidence base. We hope that this collaborative process results in a plan that delivers sustainable development which achieves environmental outcomes for people and wildlife in Lewisham.

Our representation focuses on the proposed main modifications, and associated material, provided as part of this consultation.

Overall, we are supportive of the proposed modifications and consider that the Lewisham Local Plan remains sound. Our comments are as follows:

Main modifications

We note that many of the proposed main modifications comprise additions to identify the strategic status of planning policies and the strategic objectives to which they relate.

Chapter 5 – High quality design

MM13 – Policy QD1

We welcome the proposed modifications to include ecology and biodiversity and flood risk as design considerations for development proposals.

We are pleased to note that applicants are encouraged to undertake proactive and early engagement with stakeholders.

Chapter 10 – Green infrastructure

MM124 – Policy GR3

We are pleased to note the proposed modifications to provide clarity on the relationship between Lewisham's planning policies relating to biodiversity net gain (BNG) and national legislation.

MM125 – Paragraph 10.13

We welcome the proposed strengthening of wording requiring applicants to refer to the Lewisham Biodiversity Action Plan.

Chapter 11 – Sustainable design and infrastructure

MM131 – Policy SD1

We have no comments on the proposed modifications.

MM132 – Policy SD2

We have no comments on the proposed modifications.

MM139 – Policy SD6

We have no comments on the proposed modifications.

MM140 – Policy SD7

We have no comments on the proposed modifications and are satisfied that the planning policy remains in line with our previous comments provided at earlier stages of consultation.

MM142 – Policy SD9

We welcome the proposed modification to include reference to the Greater London Authority's (GLA's) London Plan (2021) and the 'blue ribbon network' identified within.

MM143 – Policy SD10

We have no comments on the proposed modifications.

MM144 – Paragraph 11.68

We have no comments on the proposed modifications.

MM145 – Policy SD11

We have no comments on the proposed modifications.

MM146 – Policy SD12

We have no comments on the proposed modifications.

Chapter 14 – Lewisham's central area

MM159 – Key spatial objectives

We are pleased to note that the sustained key objective to improve Lewisham's waterways is considered a priority of the Lewisham Local Plan. We have no further comments on the proposed modifications.

MM161 – Policy LCA1

We have no comments on the proposed modifications.

MM162 – Policy LCA2

We have no comments on the proposed modifications.

MM163 – Policy LCA3

We have no comments on the proposed modifications.

MM166 – Paragraph 14.24

We have no comments on the proposed modifications.

MM170 – Paragraph 14.30

We have no comments on the proposed modifications.

MM174 – Paragraph 14.44

We have no comments on the proposed modifications.

MM181 – Paragraph 14.63

We have no comments on the proposed modifications.

MM197 – Paragraph 14.120

We have no comments on the proposed modifications.

MM199 – Paragraph 14.122

We have no comments on the proposed modifications.

Chapter 15 – Lewisham's north area

MM201 – Policy LNA1

We have no comments on the proposed modifications.

MM205 – Policy LNA4

We welcome the proposed modifications to reinforce the relationship between development proposals and adjacent waterways within the Thames Policy Area and Deptford Creek.

MM207 – Paragraph 15.24

We have no comments on the proposed modifications.

MM208 – Paragraph 15.25

We have no comments on the proposed modifications.

MM209 – Paragraph 15.26

We have no comments on the proposed modifications.

MM211 – Paragraph 15.34

We have no comments on the proposed modifications.

MM218 – Paragraph 15.51

We have no comments on the proposed modifications.

MM224 – Paragraph 15.65

We are pleased to note the continued expectation for applicants to engage with the Environment Agency, including at pre-application stage. We have no further comments on the proposed modifications.

MM237 – Paragraph 15.101

We are pleased to note the continued expectation for applicants to engage with the Environment Agency, including at pre-application stage. We are supportive of the guideline to deliver “new and improved public realm and open space ... [including] ... waterside access and amenity space”. We have no further comments on the proposed modifications.

MM239 – Paragraph 15.105

We welcome the proposed modification referencing the requirement for applicants to engage with the Environment Agency “to ensure that green infrastructure improvements complement and enable necessary investment in flood risk management”. We have no further comments on the proposed modifications.

MM240 – Paragraph 15.106

We are pleased to note the continued expectation for applicants to engage with the Environment Agency, including at pre-application stage. We have no further comments on the proposed modifications.

Chapter 17 – Lewisham’s south area

MM259 – Key spatial objectives

We are pleased to note that the sustained key objective to improve Lewisham’s waterways is considered a priority of the Lewisham Local Plan. We have no further comments on the proposed modifications.

MM268 – Paragraph 17.18

We have no comments on the proposed modifications.

MM271 – Paragraph 17.22

We welcome the proposed modification referencing the potential requirement for site investigation to identify potential ground contamination. The Environment Agency should also be consulted with respect to potential remedial works and/or mitigation measures from a groundwater protection perspective. We have no further comments on the proposed modifications.

MM274 – Paragraph 17.26

We welcome the proposed modification referencing the potential requirement for site investigation to identify potential ground contamination. The Environment Agency should also be consulted with respect to potential remedial works and/or mitigation measures from a groundwater protection perspective. We have no further

comments on the proposed modifications.

MM277 – Paragraph 17.30

We welcome the proposed modification referencing the potential requirement for site investigation to identify potential ground contamination. The Environment Agency should also be consulted with respect to potential remedial works and/or mitigation measures from a groundwater protection perspective. We have no further comments on the proposed modifications.

MM283 – Paragraph 17.43

We are pleased to note the continued expectation for applicants to design development to mitigate against flood risk, working with the Environment Agency. We have no further comments on the proposed modifications.

MM285 – Paragraph 17.45

We have no comments on the proposed modifications.

Chapter 18 – Lewisham’s west area

MM294 – Key spatial objectives

We have no comments on the proposed modifications.

Chapter 19 – Delivery & monitoring

MM330 – Table 19.1 Monitoring framework

We are supportive of monitoring to ensure development is delivering environmental improvements and to identify actions / measures if environmental quality is not improving.

We are pleased to note the proposed monitoring relating to biodiversity and biodiversity net gain (BNG). We note the proposed removal of monitoring of environmental incidents reported to the Environment Agency.

We have no further comments on the proposed modifications.

For the avoidance of doubt, we have no comments on the remaining proposed main modifications.

Additional modifications

Chapter 10 – Green infrastructure

AM31 – Paragraph 10.18

We welcome the proposed modifications to reflect mandatory biodiversity net gain (BNG) requirements which took effect in England in February 2024 for major developments and April 2024 for small sites.

Chapter 11 – Sustainable design and infrastructure

AM39 – Paragraph 11.72

We have no comments on the proposed modifications.

AM59 – Paragraph 17.20

We have no comments on the proposed modifications.

AM60 – Paragraph 17.24

We have no comments on the proposed modifications.

AM61 – Paragraph 17.28

We have no comments on the proposed modifications.

AM66 – Appendix 2

We have no comments on the proposed modifications.

AM74 – Schedule 9

We have no comments on the proposed modifications.

For the avoidance of doubt, we have no comments on the remaining proposed additional modifications.

Changes to policies map

PCSPM10 – Policy LNA4

We are pleased to note the proposed modification to correct the previous omission of the Thames Policy Area designation from the proposal's map.

We have no comments on the remaining proposed modifications to the submission policies map.

Integrated Impact Assessment (IIA)

We note that the submitted Integrated Impact Assessment (IIA) Sustainability Appraisal (SA) addendum by AECOM Ltd (dated January 2025) is focused on the proposed main modifications, notably on proposed changes to the housing requirement (or 'target') and associated site allocations, alongside other proposed main modifications, including thematic policy areas such as climate change.

Section 4.4 – Climate change adaptation

We note that the submitted IIA SA addendum notes that increases in site capacity could cause "tension with flood risk objectives, in that avoiding and mitigating flood risk could become more challenging" and reiterates the importance of working with the Environment Agency to reduce concerns (Paragraph 4.4.1).

We agree with the conclusions of the IIA report that:

- there is “potential to avoid and mitigate flood risk at the development management stage ... however, there is a need to avoid risk where possible”;
- “Policy SD7 (Reducing flood risk) commits to a sequential approach to avoiding flood risk, with development in the flood zone only in exceptional circumstances”.

We have no further comments on the submitted IIA SA addendum.

Habitats Regulations Assessment (HRA)

We note that the submitted Habitats Regulations Assessment (HRA) main modifications document by AECOM Ltd (dated 09 January 2025) notes that all relevant designated European sites remain outside the zone of influence of the development within the Local Plan, therefore will not be affected by modifications to said plan.

The submitted HRA main modifications document therefore concludes that the proposed main modifications will not lead to likely significant effects on those designated European sites and do not undermine the conclusions of the HRA of the Local Plan.

Accordingly, we can confirm that we have no comments on the HRA.

We look forward to continuing to work in partnership with the London Borough of Lewisham to ensure development protects and enhances the environment.

We hope you find our response helpful. Please contact us if you have any questions.

Yours sincerely,

Shea Bunyan
Sustainable Places Planning Advisor

E-mail kslplanning@environment-agency.gov.uk