

## Appendix C Table 1 Lambeth and Southwark's proposed response to each recommendation made by the Examiner

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Section of draft NDP	Examiner's recommendation and reason	Lambeth's proposed decision	Lambeth's reason for proposed decision	Southwark's response to the Examiner's recommendation
South Bank & Waterloo Neighbours (SoWN)	The designated neighbourhood area is shown on page 14 of the NP. The great majority of the area lies within LBL, the remainder within LBS. The area was designated as a business area under section 61H of the Town and Country Planning Act 1990 (as amended). A business area can be designated where an area is wholly or predominantly business in nature. I <b>Recommend</b> that the business area designation is noted in the early pages of the NP, perhaps at page 16.	Accept recommendation to modify existing text on page 16 as follows:  The designated neighbourhood forum for the area is South Bank & Waterloo Neighbours. <u>The area is designated as a business area under section 61H of the Town and Country Planning Act 1990.</u> It was established by local residents, workers and community representatives to develop a 15 year vision for the development of the neighbourhood. It was constituted in April 2013 following evidence of community support for taking forward a neighbourhood plan.	To insert reference to a national level neighbourhood planning designation that is relevant to the NDP.	Southwark agrees with Lambeth's proposed decision, and endorses the reasons given by Lambeth
Neighbourhood plan: status and context	The making of the NP must be in general conformity with the strategic policies	Accept recommendation to modify existing text on page 12 as follows:  The key core planning principle guiding its creation is the 'presumption in favour of	To ensure the neighbourhood development plan has regard to national policy and guidance and to correct an error in	Southwark agrees with Lambeth's proposed decision, and endorses the

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	<p>contained in the Development Plan for the area of the authority. It is to be noted that the requirement is for general as opposed to specific conformity, and the general conformity must be with the Development Plan(s) as a whole, and not with individual policies within them. In this context, PPG (ID: 41-074-20140306) advises that the Neighbourhood Plan policy may provide an additional level of detail and/or a distinct local approach to that set out in the strategic policy, without undermining that policy. In that context, I <b>Recommend</b> that the following text be added to the penultimate sentence on page 12 of the NP:</p> <p><b>The policies in the Plan are intended to provide additional detail or a distinct local approach to</b></p>	<p>sustainable development'. In the simplest terms this means that the neighbourhood plan cannot be developed in such a way as to prevent development. Instead it must be 'a creative exercise in finding ways to enhance and improve the places in which people live their lives'<sup>1</sup>. <u>The policies in the Plan are intended to provide additional detail or a distinct local approach to the policies in the Councils' Local Plans and decision makers should read the Neighbourhood Plan policies alongside the relevant Local Plan policies.</u> SoWN has developed the Neighbourhood Plan in this spirit.</p>	<p>relation to formatting of paragraph.</p>	<p>reasons given by Lambeth</p>
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	<b>the policies in the Councils' Local Plans and decision makers should read the Neighbourhood Plan policies alongside the relevant Local Plan policies.</b>			
Structure of the plan	A plan showing the plan area is at page 14. I <b>Recommend</b> that this plan should be presented earlier in the NP (either before page 6 or page 8) that it should show the entirety of the plan area and (if possible) show the Waterloo Opportunity Area and the CAZ.	Accept recommendation to move map of neighbourhood area to page 7 and amend the map to include the boundary of the Waterloo Opportunity Area and the Central Activities Zone (CAZ). SoWN should provide a suitably amended map.	To ensure the neighbourhood development plan is in general conformity with strategic policies and identifies designations relevant to such policies – the neighbourhood area is in the Waterloo Opportunity Area and the Central Activities Zone.	Southwark agrees with Lambeth's proposed decision, and endorses the reasons given by Lambeth
Pages 15 and 94	Page 15 refers to 2,000 and 12,000 residents and page 94 refers to 9,656 residents. I am advised by Lambeth that the "best-fit" census based figure is just short of 10,000 and I <b>Recommend</b> that "some 10,000" be inserted in those passages.	Accept modification to population figures on pages 15 and 94 as follows: P15: Variety and volume of people Vital economic drivers <ul style="list-style-type: none"> <li>• <del>2,000</del> <u>Some 10,000</u> residents</li> </ul> The area's <u>some 10,000</u> <del>12,000</del> residents are more similar demographically to the rest of the boroughs of Lambeth and Southwark than	To correct errors.	Southwark agrees with Lambeth's proposed decision, and endorses the reasons given by Lambeth

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		<p>might be expected.</p> <p>P94:</p> <p>Residents</p> <p>The South Bank and Waterloo neighbourhood has a resident population of <u>some 10,000 residents</u> <del>9,656</del> which represents 0.12% of the total London resident population of 8,258,993.</p>		
P1 (open space)	<p>This policy is concerned with the reduction of open space. It is expressed to relate to the reduction of “existing publicly accessible open space”. Lambeth’s policy EN1 protects all open space, public or private, and its emerging Local Plan likewise. Southwark’s policy SP11 protects “important open space”, and therefore not private open space. Its emerging Local Plan would protect a wide range of Other Open Spaces, but not “open spaces that are ancillary to, and/or within the</p>	<p>Accept recommendation to delete publicly accessible open space as follows and delete criterion c as follows:</p> <p>Applications which propose any permanent reduction of existing <del>publicly accessible</del> open space (<u>other than open space that is ancillary to, and/or within the curtilage of a building</u>) will not be supported unless:</p> <ul style="list-style-type: none"> <li>a) New <del>publicly accessible</del> open space of equivalent quantity is created within the Neighbourhood Plan area which replaces open space lost as a result of that development.</li> <li>b) The quality, <del>and amenity value and public access</del> of proposed open space <del>both</del> is as good as the lost open space <del>and also</del>, meets the additional needs arising from the development, <u>and where the space lost was publicly</u></li> </ul>	<p>To ensure P1 is in general conformity with strategic policies, has regard to national policy and contributes to achieving sustainable development.</p>	<p>Southwark agrees with Lambeth’s proposed decision, and endorses the reasons given by Lambeth</p>

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	<p>curtilage of a building”. However, NPPF 2012 (paragraph 74) protects all open space. Having regard to these different approaches, I see merit in achieving a greater level of consistency, including consistency with the policies that protect all open space. This would add a distinct local approach.</p> <p>I therefore <b>Recommend</b> that “<b>publicly</b>” is deleted from the policy and that it be re-written as below. Criterion (c) is not a criterion, but raises a separate matter. The concept of “other harm” is far too vague and there is no relationship justified between general (“other”) harm and the provision of open space. This point would be better dealt with under P2.</p> <p>I therefore <b>Recommend</b></p>	<p><u>accessible, equivalent public access be provided to the proposed open space.</u></p> <p><del>e) In appropriate cases more or better quality open space may be required to compensate for other harm.</del></p>		
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	<p>that P1 provide as follows:</p> <p>Applications which propose any permanent reduction of existing open space (other than open space that is ancillary to, and/or within the curtilage of a building) will not be supported unless:</p> <p><b>a) New open space of equivalent quantity is created within the Neighbourhood Plan area which replaces open space lost as a result of that development.</b></p> <p><b>b) The quality and amenity value of proposed open space is as good as the lost open space, meets the additional needs arising from the development, and where the space lost was publicly accessible, equivalent public access be provided to the proposed open space.</b></p>			
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<p>P2 (open space)</p>	<p>This policy addresses major developments which contribute to “the intensification of the neighbourhood area”. This term is far too vague (and the Glossary definition—otherwise worth retaining--does not assist). As the Key Issues imply, it appears that this policy is addressed to major developments affecting pressures on open space.</p> <p>Contrary to Lambeth, I do not consider that (when suitably modified) this policy duplicates their policy EN1(d)(i).</p> <p>I <b>Recommend</b> that the policy be modified in the following terms:</p> <p><b>Major developments (of any land use) which are likely to intensify, to a material degree, pressures on existing publicly accessible open</b></p>	<p>Accept recommendation to modify P2 and supporting text for clarification of what is meant by ‘intensification’:</p> <p><u>Major developments (of any land use) which are likely to intensify, to a material degree, pressures on contribute to the intensification of the neighbourhood area should contribute to the improvement of existing publicly accessible open spaces should contribute – in a manner and to an extent related to the development – to the improvement of such open space</u> or provide additional publicly accessible open space where feasible.</p>	<p>To ensure P2 has regard to paragraph 17 of the NPPF 2012 which requires plans to provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency. Paragraph 041 (Reference ID: 41-041-20140306) of the PPG sets out that policies in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications.</p>	<p>Southwark agrees with Lambeth’s proposed decision, and endorses the reasons given by Lambeth</p>
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	<p>space should contribute – in a manner and to an extent related to the development – to the improvement of such open space or provide additional publicly accessible open space where feasible.</p>			
<p>P2 (open space)</p>	<p>I also <b>Recommend</b> that the Rationale on page 26 headed Policy P2 and P3 be deleted and replaced by the following:</p> <p><b>Policy P2 – due to the unique pressure on public open space in this Central London environment, there should be a policy which addresses the effect that major developments (of any land use) can have in exacerbating existing pressure on publicly accessible open space. This policy applies to all developments over 10 residential units or 1,000</b></p>	<p>Accept recommendation to modify supporting text on page 26 under the heading Policy P2 &amp; P3.</p> <p><del>Policy P2 &amp; P3 – Due to the unique pressure on public open space in this central London environment, there should be an extra requirement on developers to ensure that buildings accommodate both occupants of buildings and the public without exacerbating existing pressure. These policies apply to all developments over 10 residential units or 1000 sq / m in the case of non-residential developments. This is the government’s definition of ‘major development’.</del></p> <p><u>Policy P2 – due to the unique pressure on public open space in this Central London environment, there should be a policy which addresses the effect that major developments (of any land use) can have in exacerbating existing pressure on publicly accessible open</u></p>	<p>To ensure P2 (and supporting text) has regard to national planning policy and guidance (see above).</p>	<p>Southwark agrees with Lambeth’s proposed decision, and endorses the reasons given by Lambeth</p>

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	<b>sq. m. in the case of non-residential developments. This is the Government's definition of "major development".</b>	<u>space. This policy applies to all developments over 10 residential units or 1,000 sq. m. in the case of non-residential developments. This is the Government's definition of "major development".</u>		
P3a (green roofs)	<p>This policy seeks to maximise the provision of green roofs, with its Rationale set out at page 26.</p> <p>This is plainly a desirable objective and appropriate in principle to be set out in detail in the NP.</p> <p>However, P3a is too prescriptive, not taking account of relevant factors set out in the representations, that is to say the feasibility and appropriateness of providing a green roof on grounds of visual, amenity, heritage or safety concerns. I therefore <b>Recommend</b> that the policy be modified as follows:</p>	<p>Accept recommendation to modify P3a to ensure general conformity with strategic policy, to have regard to national policy and guidance and to contribute to sustainable development.</p> <p>a) <u>Subject to the character of surrounding built form roofs</u> <del>Roofs</del> should be flat where <del>possible</del> <u>feasible</u>, and <u>be designed to include roof planting</u> <del>a significant proportion of the roof area should comprise an extensive green roof, accessible to the occupants of the building.</del> <u>The roof area should be accessible to occupants of the building, subject to safety and amenity considerations.</u></p>	To ensure P3a is in general conformity with strategic policies and contributes to the achievement of sustainable development.	Southwark agrees with Lambeth's proposed decision, and endorses the reasons given by Lambeth

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	<p><b>a) Subject to the character of surrounding built form, roofs should be flat where feasible, and be designed to include roof planting. The roof area should be accessible to occupants of the building, subject to safety and amenity considerations.</b></p>			
<p>P3b and P3c (green roofs)</p>	<p>P3b deals with the position where developers cannot meet the above requirement, in which case they should consider retrofitting a green roof on an existing building. I share the concerns, for example of Lambeth and LCR, as to the viability and practicality of this policy.</p> <p>In my view those concerns can be addressed by the simultaneous consideration of P3c. I</p>	<p>Accept modification to delete clauses b and c from P3 and to add new clause b.</p> <p><del>b) If developers demonstrate that they cannot meet the requirement in P3a they should make efforts to identify suitable flat roofs on existing buildings in the neighbourhood area to retrofit an extensive green roof.</del></p> <p><del>c) Should developers demonstrate that they cannot meet the requirements of P3a and P3b, a range of other climate change mitigating approaches must be considered, including mosses and lichen, intensive green roofs.</del></p> <p>b) <u>Where it can be demonstrated that it is</u></p>	<p>To ensure P3b is in general conformity with strategic policies and contributes to the achievement of sustainable development.</p>	<p>Southwark agrees with Lambeth's proposed decision, and endorses the reasons given by Lambeth</p>

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	<p>therefore <b>Recommend</b> that the intent of b and c can be amalgamated in a new b (<b>with the deletion of c</b>) to read as follows:</p> <p><b>b) Where it can be demonstrated that it is either inappropriate or not feasible to meet the requirement in P3a, a range of alternative climate change mitigation approaches must be considered, and implemented where feasible.</b></p>	<p><u>either inappropriate or not feasible to meet the requirement in P3a, a range of alternative climate change mitigation approaches must be considered, and implemented where feasible.</u></p>		
P3b (green roofs)	<p>Consistent with this change, the second sentence of the supporting text at paragraph P3b should be deleted and replaced by: <b>An alternative climate change mitigation approach might, subject to all townscape and viability considerations,</b></p>	<p>Accept recommendation to delete supporting text to Policy 3b to add new paragraph as follows: <del>P3b. An extensive survey of the area was carried out in 2012 for the South Bank and Waterloo Business Improvement Districts by LRS Consultancy, which assessed roofs in the neighbourhood area for their ability to accommodate green infrastructure. This document may be used to identify potential targets for green roofs, funded by developers</del></p>	<p>To ensure P3 and supporting text is in general conformity with strategic policies and contributes to the achievement of sustainable development.</p>	<p>Southwark agrees with Lambeth's proposed decision, and endorses the reasons given by Lambeth</p>

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	<p><b>include the potential for securing additional green roofs on existing buildings in the neighbourhood area.</b></p>	<p><del>in the event that they are unable for specific reasons to deliver green roofs for their own buildings (e.g. if for engineering reasons, roofs cannot be flat). The Green Infrastructure audit may be accessed here:</del>  <a href="http://www.wearewaterloo.co.uk/service/planting-greening">www.wearewaterloo.co.uk/service/planting-greening</a></p> <p><u>P3b - An alternative climate change mitigation approach might, subject to all townscape and viability considerations, include the potential for securing additional green roofs on existing buildings in the neighbourhood area.</u></p>		
<p>P4 (amenity space)</p>	<p>This policy contains mandatory open space requirements for major developments: "All major developments must meet the following criteria". This is too prescriptive, and I <b>Recommend</b> that this sentence be modified to read:</p> <p><b>All major development should be encouraged to meet the following criteria:</b></p>	<p>Accept recommendation to modify P4a as follows:</p> <p><u>All major development should be encouraged to meet the following criteria</u> <del>must meet the following criteria:</del></p> <p>Include amenity space designed for the exclusive use of occupants. This should be provided primarily on levels away from the ground floor, for example via green roofs and terraces. Some ground floor private amenity space may be provided for the exclusive use of the building's occupants, but the majority of ground floor open space should be publicly accessible.</p>	<p>To ensure P4 is in general conformity with strategic policies on amenity space.</p>	<p>Southwark agrees with Lambeth's proposed decision, and endorses the reasons given by Lambeth</p>

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<p>P4/Appendix9 (amenity space)</p>	<p>P4c refers to the “Guidance for developers” document in Appendix 9. There appears to be some confusion here. P4c relates to “major developments” but Appendix 9 refers in its Introduction to “small schemes”. I <b>Recommend</b> that the word small in the second line of Appendix 9 be <b>deleted</b>.</p>	<p>Accept recommendation to delete ‘small’ from Appendix 9 as follows:  SoWN is especially short of open green space, and in the absence of sites which can provide large scale parks, it is especially important that <del>small</del> schemes help to provide green infrastructure in meeting our first thematic objective.</p>	<p>To ensure P4/Appendix 9 has regard to national policy and guidance (see Lambeth’s reason for proposed decision on P2).</p>	<p>Southwark agrees with Lambeth’s proposed decision, and endorses the reasons given by Lambeth</p>
<p>P4d (open space)</p>	<p>In relation to Policy P4d, this again runs the risk of being too prescriptive. While the “simple formula” is stated as being a suggestion on page 28, it might be seen, in practice, as mandatory. Accordingly, I <b>Recommend</b> that the last line of Policy P4d be deleted and replaced with:  <b>be delivered in the neighbourhood area.</b></p>	<p>Accept recommendation to delete the last line of P4d and amend as follows:  P4d Address and mitigate any temporary major loss of amenity in surrounding public open space during construction phases through financial compensation, ring-fenced for green infrastructure projects to <del>be delivered in the neighbourhood area, and be delivered in the neighbourhood area.</del> <u>There may be other appropriate measures which could mitigate such major loss of amenity.</u></p>	<p>To ensure P4 is in general conformity with strategic policies on amenity space.</p>	<p>Southwark agrees with Lambeth’s proposed decision, and endorses the reasons given by Lambeth</p>

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	<b>There may be other appropriate measures which could mitigate such major loss of amenity.</b>			
P4d (open space)	<p>I also <b>Recommend</b> that the following be added to the supporting text at paragraph P4d:</p> <p><b>The above formula is merely a suggestion, and should not be seen as prescriptive. There may be other appropriate measures which could mitigate major losses of amenity in surrounding public open space. The impact of construction on the amenity of such open space should be assessed on a case by case basis.</b></p>	<p>Accept recommendation to add additional paragraph to supporting text at P4d as follows:</p> <p>The neighbourhood forum suggests a simple formula to determine the compensation which would be paid towards green infrastructure projects in the area. Coin Street Community Builders advertises a number of spaces for hire on the Coin Street estate. The cheapest of these by square metre is Doon Street Car Park, which is away from the riverside, which is priced at approximately £1 per square metre per day.</p> <p>Should construction work be predicted to have an impact severe enough to prevent the reasonable enjoyment of any publicly accessible open space, the developer can be deemed to have taken it out of public use and should in effect lease it at the rate of £1 per square metre per day for the period of the impact. This funding should be used for improvements to green spaces in the neighbourhood area. Lesser impacts or impacts over a smaller area may still trigger</p>	<p>To ensure P4 and its supporting text has regard to national policy and guidance. Paragraph 173 of the NPPF 2012 makes clear that pursuing sustainable development requires careful attention to viability and costs in plan-making and that plans should be deliverable. Sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. Paragraph 041 (Reference ID: 41-041-20140306) of the PPG requires neighbourhood plan policies to be supported by appropriate evidence.</p>	<p>Southwark agrees with Lambeth's proposed decision, and endorses the reasons given by Lambeth</p>

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		<p>compensation at a lower rate, as determined by the planning committee. Impacts are likely to be limited to light pollution, dust and noise created by construction.</p> <p><u>The above formula is merely a suggestion, and should not be seen as prescriptive. There may be other appropriate measures which could mitigate major losses of amenity in surrounding public open space. The impact of construction on the amenity of such open space should be assessed on a case by case basis.</u></p>		
P4e (trees)	<p>P4e is a policy to “mitigate loss of any trees”. Lambeth’s Policy Q10 and London Plan policy 7.21B resist the loss of trees of value/significance. Southwark have no equivalent policy. In the highly urbanised Neighbourhood Plan area, it seems to me that all (viable) trees are of value. A policy to protect such trees would be distinct to this area. I share Lambeth’s concern that</p>	<p>Accept recommendation to delete P4e and replace as follows:</p> <p><del>Mitigate loss of any trees. Where trees must be replaced as part of redevelopment:</del></p> <p>i) <del>replacement trees should be planted according to the advice of a Council or independent arboricultural adviser with reference to the guidelines referred to in policy P4C, or</del></p> <p>ii) <del>the CAVAT model should be applied to provide compensation, ring fenced for implementation of equivalent green infrastructure near to site.</del></p> <p><u>P4e The impact of development on trees is addressed elsewhere in the development plan. Where it is impracticable to identify</u></p>	<p>To ensure P4e is in general conformity with strategic policies and contributes to achieving sustainable development by ensuring that trees are not at risk of being lost for the equivalent ‘monetary value’ to be spent on other green infrastructure.</p>	<p>Southwark agrees with Lambeth’s proposed decision, and endorses the reasons given by Lambeth</p>

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	<p>there is a risk under this policy of trees being lost for their “monetary value” to be spent on other green infrastructure rather than the replacement planting of trees on-site. The supporting text to P4e seems better expressed. I therefore <b>Recommend</b> that P4e be deleted and replaced by:</p> <p><b>The impact of development on trees is addressed elsewhere in the development plan. Where it is impracticable to identify suitable locations for new trees, alternative forms of replacement or compensation – for example on-street planters, rain gardens and green walls – could be considered acceptable.</b></p>	<p><u>suitable locations for new trees, alternative forms of replacement or compensation – for example on-street planters, rain gardens and green walls – could be considered acceptable.</u></p>		
P5a	P5a-c contain a range of	Accept recommendation to modify P5a as	To ensure P5 has regard to	Southwark agrees

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(air quality)	policies designed to improve air quality, which is a severe problem in many parts of the area. P5a and b add a distinctive level of further detail to policies in this area, and are appropriate. I simply <b>Recommend</b> that in the first line of P5a the word " <b>plans</b> " be substituted by " <b>proposals</b> ".	follows:  Given the high levels of air pollution in the area, development <del>plans</del> <u>proposals</u> must show how they contribute to the improvement of air quality in South Bank and Waterloo. Such measures include, but are not limited to	national policy and guidance (see Lambeth's reason for proposed decision on P2).	with Lambeth's proposed decision, and endorses the reasons given by Lambeth
P5b (air quality)	The last sentence of the supporting text to P5b— "Ground floor units should be primarily A1, A3 and sui generis cultural uses"—might potentially conflict with other policies of the NP, and in any event seems inappropriate to the preceding context. I <b>Recommend</b> that it be <b>deleted</b> , and replaced by: <b>Ground floors should reflect Greenways principles, and uses</b>	Accept recommendation to delete supporting text to P5b and replace as follows:  P5b - In addition, developers will need to contribute to the improvement of the streetscape, either via a Section 278 agreement or through a CIL sum which contributes to a larger fund. This will enable the relaying of wider pavements, noise reducing highways surfaces, the implementation of seating and street trees, and the other elements which encourage people to walk through the area, as set out in the guidance. <del>Ground floor units should be primarily A1, A3 and sui generis cultural uses.</del> <u>Ground floors should reflect Greenways principles, and uses should not detract from</u>	To avoid potential conflict between policies in the NDP and supporting text and to ensure P5 has regard to national policy and guidance (see Lambeth's reason for proposed decision on P2).	Southwark agrees with Lambeth's proposed decision, and endorses the reasons given by Lambeth

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	<b>should not detract from the streets' function as peaceful walking routes.</b>	<u>the streets' function as peaceful walking routes.</u>		
P5c (air quality)	I share Lambeth's concern over the lack of reference to cycling. To assist sustainability, I <b>Recommend</b> the addition of a new c before existing c, as follows:  <b>Measures to encourage cycling will be explored, especially via routes that seek to protect cyclists from heavy traffic, air pollution and noise.</b>	Accept recommendation to add new clause P5c as follows:  c) <u>Measures to encourage cycling will be explored, especially via routes that seek to protect cyclists from heavy traffic, air pollution and noise.</u>	To ensure P5 contributes to achievement of sustainable development.	Southwark agrees with Lambeth's proposed decision, and endorses the reasons given by Lambeth
P5d (air quality)	In relation to existing c, Lambeth see a conflict with their policies in relation to Site 7. But Site 7 is silent as to diesel vehicles, indeed silent as to the critical topic of air quality. I acknowledge the point made by Lambeth that the Mayor of London is responsible for the regulation of taxis and	Accept recommendation to delete existing clause P5c, add new clause P5d and renumber supporting text from P5c to P5d, as follows:  e) <del>Development of Waterloo Station will not be supported unless measures are introduced to restrict diesel taxis and diesel freight vehicles serving the Station</del>  d) <u>Development of Waterloo Station should demonstrate that any measures capable of being regulated by development management, to reduce emissions from</u>	To ensure P5d is expressed as a policy for the development and use of land.	Southwark agrees with Lambeth's proposed decision, and endorses the reasons given by Lambeth

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	<p>private hire vehicles. The GLA also assert that the use of diesel vehicles is not a material planning consideration.</p> <p>Whilst I accept that the Mayor is responsible for the regulation of taxis and private hire vehicles, the air quality problem at Waterloo Station is particularly acute. In the interests of sustainable development, it seems to me appropriate to have a <u>policy which can guide planning decisions</u>.</p> <p>I therefore <b>Recommend</b> that existing c be deleted, and a new d be added as follows:</p> <p><b>d) Development of Waterloo Station should demonstrate that any measures capable of being regulated by development management, to</b></p>	<p><u>diesel vehicles, have been investigated.</u></p> <p><del>P5c-</del> <u>P5d</u> Among the Love Lambeth Air project results, the worst of the measurements was from a diffusion tube measuring an average of 109.20 ug / m3 - 273% over the legal limit – I situated in the tunnels beneath Waterloo Station. These tunnels are primarily used by taxis serving Waterloo Station and, although a queuing system has been introduced which restricts the numbers of taxis that are allowed to join the queue, the system is not enforced and the tunnels, which should be clear of idling taxis are regularly full (see photo below). Feedback at pre-submission consultation stage was unequivocal in calling for measures which specifically dealt with this issue and SoWN would hope to engage with Network Rail as landowner and representatives of the LTDA to develop an approach to solving the air pollution caused by diesel taxis</p>		
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	<p><b>reduce emissions from diesel vehicles, have been investigated.</b></p> <p>The supporting text currently numbered P5c should be re-numbered P5d.</p>			
P7 (affordable housing)	<p>This policy would support new affordable housing made available for specified target groups in the Neighbourhood Plan area. Lambeth's affordable housing policy is policy H2. This is based on a SHMA, taking the Borough as the housing market area. The SHMA addresses, for example, the needs of older people. The Southwark policies are on the same basis.</p> <p>In my opinion Policy P7 is not consistent with national policy and guidance, is not in conformity with the Development Plan, and</p>	<p>Accept recommendation to delete P7 and supporting text as follows:</p> <p><del>New affordable housing made available for the following target groups would be supported:</del></p> <ul style="list-style-type: none"> <li><del>i. Low to middle income people working within the neighbourhood area</del></li> <li><del>ii. Elderly people from the area including those in need of live-in care</del></li> </ul> <p><del>Policy P7 – The housing market in the neighbourhood is largely either social rented or high end housing. Proposals are needed which contribute to a greater mix in the community, including allowing for people to grow old in the neighbourhood, (freeing family housing up for those that need it), and providing for those who work in the area.</del></p>	<p>To ensure the neighbourhood development plan contributes to achieving sustainable development, is in general conformity with strategic policies and has regard to national policy and guidance on affordable housing.</p>	<p>Southwark agrees with Lambeth's proposed decision, and endorses the reasons given by Lambeth</p>

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	<p>would be uncertain in its effect.</p> <p>Paragraph 47 of NPPF 2012 imposes a duty on each planning authority to meet its full need for affordable housing in its HMA. The Neighbourhood Plan area is not an HMA. There is no quantitative evidence to support the assertions that there is a particular need of a particular type for affordable housing in the Neighbourhood Plan area. P7 is also unclear and potentially ambiguous, since it implies that it would not support affordable housing that is not made available for the specified target groups. (If it does not have that implication, it seems of doubtful value).</p> <p>P7 is not in conformity with the Development Plan. The two Local Plans</p>	<p><del>SOWN recognises that land values in the neighbourhood area make delivering truly affordable housing for the target groups difficult to achieve. Policy P8 gives examples of ways in which developers can bring forward affordable units which are acceptable to the community, whose first priority is to ensure a mix of local residents.</del></p>		
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	<p>seek to meet affordable housing needs at a Borough-wide level.</p> <p>I therefore <b>Recommend</b> that P7 be <b>deleted</b>, together with its supporting text.</p>			
Executive Summary	<p>It would follow that the first row of the housing table on page 8 should be <b>deleted</b>. The first bullet point under “housing” on page 19 should nonetheless remain, as being a statement of the original objective of the NP.</p>	<p>Accept recommendation to delete the first row on table on page 8 as follows:</p> <p><del>Local Issue</del></p> <p><del>Certain groups of people are particularly vulnerable to being unable to access housing in the area.</del></p> <p><u>Summary of Policy</u></p> <p><u>Affordable housing should be made available for older people, including those who need live in support, key workers, and staff in sectors such as hospitals and retail which are struggling to recruit people who can afford to live nearby.</u></p>	<p>To ensure the neighbourhood development plan contributes to achieving sustainable development, is in general conformity with strategic policies and has regard to national policy and guidance on affordable housing.</p>	<p>Southwark agrees with Lambeth’s proposed decision, and endorses the reasons given by Lambeth</p>
P8 (affordable housing)	<p>This policy would encourage features to accommodate the target groups identified in P7, including co-housing and unit sizes.</p>	<p>Accept recommendation to delete P8 and supporting text as follows:</p> <p><del>P8 Proposals which incorporate features to accommodate one or more of the target groups identified in P7 will be supported.</del></p>	<p>To ensure the neighbourhood development plan contributes to achieving sustainable development, is in general conformity with strategic policies and has regard to</p>	<p>Southwark agrees with Lambeth’s proposed decision, and endorses the reasons given by Lambeth</p>

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	<p>I have similar concerns in relation to P8 as I do for P7, P8 being directly linked to the former.</p> <p>Further, and in relation to co-housing, the Development Plan in both Lambeth and Southwark does not restrict the development of co-housing, subject to relevant policies in each Plan. To the extent that P8 encourages co-housing it therefore seems unnecessary. In relation to space standards, the term “closely aligning with minimum space standards in the London Plan” is uncertain, and inconsistent with the London-wide approach to minimum space standards in the London Plan. I do not think that the suggested change put forward by Town Legal at paragraph 7.2 would</p>	<p><del>These include, but are not limited to:</del></p> <ul style="list-style-type: none"> <li><del>i. Co-housing</del></li> <li><del>ii. Unit sizes that maximise space and affordability by closely aligning with minimum space standards</del></li> </ul> <p><del>The London Plan</del></p> <p><del>Policy P8—Given that national policy is that affordable rents are up to 80% market rates, reducing unit sizes to the minimum standards set out in the London Plan may be one of the few opportunities to preserve mixed communities in the neighbourhood. However, smaller unit sizes must be accompanied by exemplary design which supports communitarity, such as external dining and laundry facilities.</del></p> <p><del>Co-housing, which combines private units with elements of shared space or services is appropriate for inner city neighbourhoods, creating civic engagement and reducing social isolation. A significant proportion of housing in Waterloo is based on co-operative and co-housing principles and the Neighbourhood Forum supports this within the parameters of local plan policies on size and tenure.</del></p>	<p>national policy and guidance on affordable housing.</p>	
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	<p>assist.</p> <p>I therefore <b>Recommend</b> that this policy, and its supporting text, be <b>deleted</b>.</p>			
Executive Summary	<p>It would follow that the second and third rows of the housing table on page 8 should be deleted. The point made in paragraph 72 above as to page 19 applies equally here.</p>	<p>Accept recommendation to delete the second and third rows of the housing table on page 8 as follows:</p> <p><del>Local Issue</del></p> <p><del>Sales values mean that affordable housing isn't affordable for people on lower and middle incomes.</del></p> <p><del>Summary of policy</del></p> <p><del>Smaller than usual flat sizes can be developed if they are well designed and are accompanied by facilities such as communal laundry and dining areas.</del></p> <p><del>Local Issue</del></p> <p><del>New forms of housing should be provided to increase the sense of community.</del></p> <p><del>Summary of policy</del></p> <p><del>Developers should build more cohousing and co-ops. Underneath flats, community retail should provide work for residents above.</del></p>	<p>To ensure the neighbourhood development plan contributes to achieving sustainable development, is in general conformity with strategic policies and has regard to national policy and guidance on affordable housing.</p>	<p>Southwark agrees with Lambeth's proposed decision, and endorses the reasons given by Lambeth</p>

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<p>P9 (affordable housing)</p>	<p>This policy addresses off-site provision of affordable housing, involving a local designated Community Land Trust.</p> <p>This policy generally aligns with Lambeth’s policy H2, though for consistency it should make clear that off-site provision is only permissible in exceptional circumstances.</p> <p>Southwark’s policy SP6 appears to have no comparable constraint (and its emerging policy P1 does not refer to exceptional circumstances). The London Plan (in its published and emerging versions) is clear as to the need for exceptional circumstances. This should be expressed in the policy.</p> <p>I therefore <b>Recommend</b> that there be inserted “in</p>	<p>Accept recommendation to amend P9 as follows:</p> <p>P9 Where, <u>in exceptional circumstances</u>, affordable housing cannot be delivered on site, consideration should be given to making land in the neighbourhood area available to a local designated Community Land Trust to bring forward affordable housing in partnership with a registered housing provider.</p>	<p>To ensure P9 is in general conformity with strategic policies and has regard to national policy and guidance in relation to off-site affordable housing.</p>	<p>Southwark agrees with Lambeth’s proposed decision, and endorses the reasons given by Lambeth</p>
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	<b>exceptional circumstances”</b> between “Where” and “affordable”.			
Executive Summary	Under the heading of Housing on page 8, and following the recommended deletion of the current content of the table, text needs to be added to reflect Policy P9. I Recommend that the <b>“Local Issue”</b> be stated to be <b>Delivery of affordable housing, and Summary of Policy</b> be stated as <b>Where, exceptionally, off-site affordable housing is an option, delivery via a Community Land Trust may be considered.</b>	Accept recommendation to add new row to housing table on page 8 as follows: <u>Local Issue</u> <u>Delivery of affordable housing</u> <u>Summary of Policy</u> <u>Where, exceptionally, off-site affordable housing is an option, delivery via a Community Land Trust may be considered.</u>	To ensure the draft neighbourhood plan is in general conformity with strategic policies and has regard to national policy and guidance in relation to off-site affordable housing.	Southwark agrees with Lambeth’s proposed decision, and endorses the reasons given by Lambeth
P10 (hotels)	This policy seeks to integrate new hotel development into the local economy. It appears to raise no issues as to conformity with national	Accept recommendation to amend P10 as follows: Any hotel proposal must mitigate the development’s impact on the existing dynamics of the residential, business and social communities, <del>including:</del> <u>The following</u>	To ensure P10 is in general conformity with strategic policies on hotel development.	Southwark agrees with Lambeth’s proposed decision, and endorses the reasons given by Lambeth

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	<p>policy/guidance and the Development Plan.</p> <p>However, the seeming mandatory nature of points 1-4 are inconsistent with higher tier guidance. I therefore <b>Recommend</b> that a full stop be inserted after “communities” in the second line. The following text should be added:</p> <p><b>The following objectives will be supported:</b></p>	<p><u>objectives will be supported:</u></p> <ol style="list-style-type: none"> <li>1. Provide as much retail frontage as possible to a high street, where the units made available only have high street access.</li> <li>2. Provide space that is beneficial and available to the wider community such as ‘incubator space’, screening room, community meeting and function rooms, fitness suites and swimming pools.</li> <li>3. Where possible any ‘in-house’ food and beverage offer should be limited (minibars, bars, restaurants and cafes closed to the public) so that hotel guests are encouraged to use local traders.</li> <li>4. Developments should continue to engage with local recruitment mechanisms to ensure local candidates are employed wherever possible.</li> </ol>		
P11 (anti-graffiti coatings)	<p>I share the view of Lambeth that more certainty could be added to the policy if it were clarified in the following way. I therefore <b>Recommend</b> that the policy be deleted and replaced by:</p> <p><b>Where they front publicly</b></p>	<p>Accept recommendation to delete P11 and replace as follows:</p> <p>P11 <del>The facades of all new developments should be treated with a permanent anti-graffiti coating.</del> <u>Where they front publicly accessible spaces the ground floor (and any relevant upper floor) elevations of new development shall be treated with a permanent anti-graffiti coating which shall be maintained for the lifetime of the</u></p>	To ensure P11 has regard to national policy and guidance (see Lambeth’s reason for proposed decision on P2).	Southwark agrees with Lambeth’s proposed decision, and endorses the reasons given by Lambeth

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	<p><b>accessible spaces the ground floor (and any relevant upper floor) elevations of new development shall be treated with a permanent anti-graffiti coating which shall be maintained for the lifetime of the development.</b></p>	<p><u>development.</u></p>		
<p>Development Management: Other guidance</p>	<p>Paragraph 1 relates to affordable housing “clawback”. It is not appropriate at this part of the NP. If it is to be retained, I <b>Recommend</b> that it be inserted in Section 8.2, “Housing”.</p>	<p>Accept recommendation to insert existing paragraph 1 into section 8.2 housing and delete it from development management guidance on page 43 as follows:</p> <p><del>1.—The community believes that early consultation on major developments would enable them to provide helpful advice and reduce the likelihood of objections. To provide a mechanism to strengthen the Councils’ commitment to ‘front loading’ local consultation, a local ‘development review panel’ should be established to scrutinise major development plans at pre-planning stage, against their adherence to neighbourhood plan and other matters and make recommendation to the planning committee, including S106 mitigation and CIL spend. This would apply to</del></p>	<p>To move the content into the relevant part of the neighbourhood development plan.</p>	<p>Southwark agrees with Lambeth’s proposed decision, and endorses the reasons given by Lambeth</p>

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		<p><del>applications undergoing pre-planning consultation and would be written into planning performance agreements. Plans would be submitted by the Councils to the panel with strict time limits on comments so as not to delay the planning process.</del></p> <p>Insert to Housing guidance on page 37:</p> <p><u>7. The community believes that early consultation on major developments would enable them to provide helpful advice and reduce the likelihood of objections. To provide a mechanism to strengthen the Councils' commitment to 'front-loading' local consultation, a local 'development review panel' should be established to scrutinise major development plans at pre-planning stage, against their adherence to neighbourhood plan and other matters and make recommendation to the planning committee, including S106 mitigation and CIL spend. This would apply to applications undergoing pre-planning consultation and would be written into planning performance agreements. Plans would be submitted by the Councils to the panel with strict time limits on comments so as not to delay the planning process.</u></p>		
Development Management:	I <b>Recommend</b> that paragraph 4 be <b>deleted</b> as	Accept recommendation to delete paragraph	To bring the development management guidance into	Southwark agrees with Lambeth's

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Other guidance	unnecessary. There are established processes for consultation and review of site allocations through Local Plan reviews. This is not appropriate, therefore, for the NP.	<p>4:</p> <p><del>4. SoWN accepts that strategic site allocations will be undertaken in the Borough's Local Plans. However, conference with the neighbourhood forum should allow for input into elements/detail of the LPA's recommendations for the site.</del></p> <p><u>SoWN will work with Lambeth and Southwark Planning Authorities so that local aspirations are reflected in the policy frameworks for particular sites including:</u></p> <ul style="list-style-type: none"> <li><del>i) Guy's and St. Thomas' Charity Estate</del></li> <li><del>ii) 'Triangle site' bounded by Sandell Street, Waterloo Road and Cornwall Road</del></li> <li><del>iii) Cornwall Road bus garage</del></li> <li><del>iv) OCCC Estate</del></li> <li><del>v) Waterloo Station</del></li> <li><del>vi) ITV and London Studios</del></li> <li><del>vii) 89 Westminster Bridge Road</del></li> </ul>	line with established processes contained elsewhere for development plan review.	proposed decision, and endorses the reasons given by Lambeth
P12 (retail units)	I have no concerns in relation to this policy.  Different considerations apply to the supporting text at page 50. This purports to contain an entirely new and separate policy. It is not supported by evidence. There is no	<p>Accept recommendation to delete supporting text to P12 as follows:</p> <p><del>Policy P12 – New businesses, entrepreneurs and pop-ups are unable to fund the costs of fit out, even where empty units are affordable. Developers should ensure units are ready to trade from and offer them up at a discounted rent to young businesses if there is a delay while permanent tenants can be identified.</del></p>	To ensure the supporting text to P12 has regard to national policy and guidance. (See Lambeth's reason for proposed decision on P4).	Southwark agrees with Lambeth's proposed decision, and endorses the reasons given by Lambeth

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	<p>evidenced consideration given to the effect of the stated requirements on development viability, including owners' ability to market units of the mandatory requirement for leases for six months at discounted rents. I therefore <b>Recommend</b> the <b>deletion</b> of the first paragraph of the text. In relation to the next paragraph, I <b>Recommend</b> the <b>deletion</b> of the first sentence and its substitution with:</p> <p><b>The following facilities to enable temporary or pop-up uses will be encouraged:</b></p>	<p><del>Developers should work with the planning authority and community to identify tenants for six month affordable leases should units not be let three months after completion.</del></p> <p><u>Units should be provided with the following, to enable temporary or pop-up uses</u> <u>The following facilities to enable temporary or pop-up uses will be encouraged:</u></p> <ul style="list-style-type: none"> <li>• Walls painted white or temporary walls installed to cover up any that are damaged</li> <li>• Simple overhead lighting ideally spot lighting with different controls so tenants can adjust the lighting state as required</li> <li>• As much glass frontage as possible • Power sockets throughout</li> <li>• WiFi, water and electricity connected</li> <li>• Access to a toilet</li> <li>• Buildings insurance</li> </ul>		
Executive Summary	<p>In the light of the above recommendation, the first line of the table "Retail and work" on page 9 should be <b>deleted</b>. In substitution, I <b>Recommend</b> that the <b>Local Issue</b> be stated as</p>	<p>Accept recommendation to delete the first row of the retail and work table on page 9 and add new row as follows:</p> <p>Retail &amp; work</p> <p><del>Local Issue</del></p> <p><u>Small independent shops like the ones on Lower Marsh are being priced out of the area</u></p>	<p>To ensure the draft neighbourhood plan has regard to national policy and guidance (see Lambeth's reason for proposed decision on P4).</p>	<p>Southwark agrees with Lambeth's proposed decision, and endorses the reasons given by Lambeth</p>

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	<p><b>The need for small, flexible and temporary shops, and the Summary of Policy</b> be stated as <b>Proposals for small, flexible and temporary shops will be supported.</b></p>	<p><del>by rising rents.</del>  <u>Summary of Policy</u>  <del>Big developments should provide a certain number of affordable retail units. Empty units should be available cheaply on a temporary basis while longer term tenants are identified.</del>  <u>Local Issue</u>  <u>The need for small, flexible and temporary shops.</u>  <u>Summary of Policy</u>  <u>Proposals for small, flexible and temporary shops will be supported.</u></p>		
<p>P13 (mix of uses in Lower Marsh)</p>	<p>In my Examination Note 3 I raised a number of queries with SoWN as to the scope of this policy. First, it was clarified that, consistently with Policy PN1(b) of the Lambeth Local Plan, the reference should be to the primary shopping area of the CAZ frontage. However, this is now academic in light of the next point.          Second, owing to the</p>	<p>Accept recommendation to amend policy to apply only to Lower Marsh:  <del>In the Lower Marsh and The Cut CAZ retail frontages, planning applications will be required to</del> <u>In Lower Marsh, planning applications will be required to:</u></p> <ul style="list-style-type: none"> <li>a) Retain an appropriate mix of retail units, taking particular note of the following:             <ul style="list-style-type: none"> <li>i) Planning applications involving the loss of an A1 unit will not be supported unless the overall percentage of A1 units remains above 50% following its loss.</li> <li>ii) Planning applications involving the loss</li> </ul> </li> </ul>	<p>To ensure P13 has regard to national policy and guidance (see Lambeth's reason for proposed decision on P2).</p>	<p>Southwark agrees with Lambeth's proposed decision, and endorses the reasons given by Lambeth</p>

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	<p>current balance of retail/A3 units in Lower Marsh and The Cut, the focus should be on Lower Marsh only. All of Lower Marsh falls within the primary shopping area.</p> <p>Third, I see the force of SoWN’s point that a minimum level of A3 uses in Lower Marsh would add to its evening vitality.</p> <p>I therefore <b>Recommend</b> that the 1st sentence be deleted and replaced by: <b>In Lower Marsh, planning applications will be required to:</b>”.</p> <p>In the first paragraph of the supporting text, all after “Lower Marsh” should be <b>deleted</b>, leaving the 2nd paragraph in place.</p>	<p>of an A3 unit will not be supported unless the overall percentage of A3 units remains above 30% following its loss.</p> <p><del>Policy P13 – Lower Marsh and The Cut – The CAZ street frontage is protected in the Waterloo SPD and Southwark also designate the Southwark section of The Cut as a protected shopping frontage. In the Lambeth Section of the street, conversions to non A1 uses have not been resisted where current policy states that only 50% of those frontages should remain as A1.</del></p> <p>The local community, whilst recognising and welcoming a general shift towards a combination of A3 restaurant uses as well as A1 retail uses, would like to strengthen existing policy to ensure that only a minority of premises are used as services. This preserves the character of the street as a shopping street with daytime as well as evening uses.</p>		
P14 (offices and workspace)	This Policy seeks to encourage flexible business uses “in appropriate parts of the	Accept recommendation to delete ‘in appropriate parts of the area’, to delete the first sentence of supporting text and amend the first line of P14 as follows:	To ensure P14 is in general conformity with strategic policies on offices/workspace.	Southwark agrees with Lambeth’s proposed decision, and endorses the

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	<p>area”.</p> <p>This reference is far too vague. It seems to me, as now suggested by SoWN, that this Policy is appropriate for the area as a whole, bearing well in mind the application of other development plan policies which would act to prevent potential damage to amenity or other harm which might arise.</p> <p>I therefore <b>Recommend</b> that <b>“in appropriate parts of the area”</b> be deleted, along with the first sentence of the supporting text. For clarity, I <u>Recommend</u> that the first two lines of the Policy read: <b>Schemes will be encouraged which provide office or workspace with the following characteristics:</b></p>	<p><del>The neighbourhood will encourage schemes which provide office or workspace in appropriate parts of the area with the following characteristic</del> <u>Schemes will be encouraged which provide office or workspace with the following characteristics :</u></p> <ul style="list-style-type: none"> <li>i) Are able to be subdivided to encourage flexible use and co-working and / or</li> <li>ii) Include a range of unit sizes including offices of under 1000 sq / m and / or</li> <li>iii) Are able to provide accommodation for a range of jobs which are accessible to local people and / or</li> <li>iv) Commit to working with third party employment support providers and local schools to provide work placements, apprenticeships and training support for unemployed people.</li> </ul> <p>Policy P14 – <del>Bishop’s and Cathedral’s Wards</del> <u>have a particular shortage of affordable and flexible office spaces.</u> Flexibility is defined both in terms of physical adaptability and length of tenure. There is a need for office spaces which can be adapted as co-working space, shared between a number of smaller companies who are able to economise through shared services such as cleaning.</p>		<p>reasons given by Lambeth</p>
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		There is also a shortage of large spaces for more established businesses.		
P16 (community uses)	<p>Under the heading of Social Infrastructure and Culture, this policy gives specific protection to community facilities in Lambeth at Waterloo Action Centre, Living Space and Make Space Studios.</p> <p>Lambeth's policy S1 already gives protection to community facilities. P16 is more stringent, and could be justified in view of the particular importance of the three specified facilities to which the policy applies. However, the supporting text significantly relaxes the policy allowing, for example, redevelopment and replacement anywhere in the neighbourhood area.</p> <p>I therefore <b>Recommend</b> that the 2nd sentence of</p>	<p>Accept recommendation to amend the 2<sup>nd</sup> sentence of the supporting text as follows:</p> <p>Policy P16 – The Neighbourhood Forum has identified a number of community facilities which should be protected. Any proposals seeking the redevelopment of these sites should include full reprovision of the community use <u>on the same site and providing equal or increased capacity to the original</u> <del>within the new development or The Neighbourhood Plan Area.</del></p>	To ensure P16 has regard to national policy and guidance (see Lambeth's reason for proposed decision on P2).	Southwark agrees with Lambeth's proposed decision, and endorses the reasons given by Lambeth

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	the supporting text be redrafted to read: <b>“Any proposals seeking the redevelopment of these sites should include full reprovision of the community use on the same site and providing equal or increased capacity to the original”</b> .			
P17 (Leake Street)	<p>This policy addresses the special interest and distinctiveness of Leake Street.</p> <p>As the supporting text well articulates, this tunnel makes an important contribution to the cultural life of this part of Waterloo. The 2nd sentence of the Policy is, however, too vague. I <b>Recommend</b> that it be redrafted as follows:  <b>“Applications which contribute to and promote the use of units adjoining Leake Street and under Waterloo</b></p>	<p>Accept recommendation to amend the 2<sup>nd</sup> sentence of the policy as follows:</p> <p>The Neighbourhood Plan recognises the contribution to the artistic and cultural distinctiveness of the area made by Leake Street and seeks to maintain and develop this important feature of the neighbourhood. Applications which contribute to and promote the use of <u>units adjoining Leake Street and under Waterloo Station for cultural</u> <del>areas for</del> <u>A1, A3, D1 and D2</u> uses will therefore be supported.</p>	<p>To ensure P17 has regard to national policy and guidance (see Lambeth’s reason for proposed decision on P2).</p>	<p>Southwark agrees with Lambeth’s proposed decision, and endorses the reasons given by Lambeth</p>

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	<b>Station for cultural uses will therefore be supported”.</b>			
P19 (maintenance and management of surrounding areas)	<p>This policy, under the heading of Policy and Guidance: Planning gain and mitigation, seeks revenue section 106 funding to mitigate the impacts of development.</p> <p>Lambeth express concern over the relationship between CIL and section 106 monies in terms of either the general law or the Council’s regulation 123 list.</p> <p>I therefore <b>Recommend</b> that there be added to the policy the following:</p> <p><b>Subject to the requirements and implications of regulations 122 and 123 of the CIL Regulations</b></p>	<p>Accept recommendation to amend P19 as follows:</p> <p>P19 <u>Subject to the requirements and implications of regulations 122 and 123 of the CIL Regulations, where</u> <del>Where</del> developments create an ongoing and significant cost implication for the management and maintenance of the neighbourhood area outside the development’s demise, revenue Section 106 funding to mitigate the impacts should be secured from the development.</p>	<p>To ensure P19 has had regard to the statutory tests in the CIL Regulations 2010 and the policy tests set out in paragraph 204 of the NPPF 2012 which require planning obligations to be:</p> <ul style="list-style-type: none"> <li>• Necessary to make the development acceptable in planning terms;</li> <li>• Directly related to the development; and</li> <li>• Fairly and reasonably related in scale and kind to the development.</li> </ul>	<p>Southwark agrees with Lambeth’s proposed decision, and endorses the reasons given by Lambeth</p>
P20 (use of	<p>This policy seeks to direct the neighbourhood</p>	<p>Accept the recommendation to delete P20 and supporting rationale:</p>	<p>P20 is not a policy for the development and use of land.</p>	<p>Southwark agrees with Lambeth’s</p>

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<p>neighbourhood CIL)</p>	<p>element of CIL generated in the area to be used to fund the projects set out in section 9. It is highly controversial for both local planning authorities. There are two reasons why I Recommend the deletion of this policy, the first more clear-cut than the second.</p> <p>The first reason why the policy must be deleted is that it is not a land use policy for the purposes of section 38A(2) of the Planning and Compulsory Purchase Act 2004.</p> <p>Second, I would have concerns over the propriety of this policy constraining the discretion of each Council as to how it should spend its CIL. The effect of regulations 59-59F of the CIL Regulations 2010 is to give a duty to the charging authority to</p>	<p><del>P20 The neighbourhood element of CIL generated in the area should where feasible be used to fund the projects set out in section 9 of the neighbourhood plan or other projects in consultation with SoWN.</del></p> <p><u>Policy P20 – Defrayal of the neighbourhood element of CIL should be in accordance with the</u></p> <p><u>projects set out in the neighbourhood plan. Prioritisation and updating of the projects list will be led by the community in consultation with Lambeth and Southwark Councils. This arrangement follows the example of the successful London Eye revenue, S106 agreement, which is defrayed annually by local people according to local need.</u></p>		<p>proposed decision, and endorses the reasons given by Lambeth</p>
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	<p>expend CIL on infrastructure, and a discretion as to how it does so. PPG ID: 25-071-20140612 is consistent with this: "Local authorities must spend the levy on infrastructure needed to support the development of their area, and they will decide what infrastructure is needed". Consultation with communities, and infrastructure identified in a Neighbourhood Plan, are important guides to the decisions: PPG ID: 25-073-20140612.</p> <p>I note that the Examiner of the Isle of Dogs NP took a different view on this topic. However, the above reflects my view as to the relevant law and policy.</p> <p>Accordingly I <b>Recommend:</b></p> <p>That Policy 20 be <del>deleted</del>, with its supporting</p>			
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	rationale at page 69.			
Executive Summary	It would follow that the first line of the table on page 10 under the heading of Planning gain and mitigation should be <b>deleted</b> .	Accept recommendation to delete the first row of the Planning gain and mitigation table on page 10. Planning gain & mitigation Local Issue <del>The area is poorly maintained and insufficient funding is available for local groups to help deliver improvements.</del> Summary of Policy <del>Part of Community Infrastructure Levy (a tax on development) should be used as revenue to support ongoing local efforts to improve the area, maintain social infrastructure and deliver the ambitions of the neighbourhood plan.</del>	To ensure NDP reflects modification to delete P20 which is not a policy for the development and use of land.	Southwark agrees with Lambeth's proposed decision, and endorses the reasons given by Lambeth
Executive Summary	the text under Guidance and Projects on the same page should be amended by the deletion of <b>to be paid for via the local Community Infrastructure Levy -</b>	Accept modification to delete reference to CIL on page 10 as follows: Guidance & Projects The plan also includes "non-policy" guidance for developers and local authorities, reflecting local aspirations. It also includes a list of projects <del>to be paid for via the local Community Infrastructure Levy</del> which are put forward by the community to realise the	To ensure NDP reflects modification to delete P20 which is not a policy for the development and use of land.	Southwark agrees with Lambeth's proposed decision, and endorses the reasons given by Lambeth

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		vision of the South Bank & Waterloo Neighbourhood Plan in the next 15 years.		
Page 13	footnote 2 on page 13 should be <b>deleted</b> ;	Accept recommendation to delete the footnote 2 on page 13 as follows.  <del><sup>2</sup>The list of projects is a target list for the defrayal of the neighbourhood element of Community Infrastructure Levy (CIL). 25% of all CIL generated in the area must be spent in the area. The projects list where it applies to the Lambeth section of the neighbourhood also forms the Community Led Investment Plan (CLIP) for Bishop's Ward. A memorandum of understanding setting out the issues relating to the defrayal of CIL can be found in Appendix X.</del>	To ensure NDP reflects modification to delete P20 which is not a policy for the development and use of land.	Southwark agrees with Lambeth's proposed decision, and endorses the reasons given by Lambeth
Objectives of the South Bank & Waterloo Neighbourhood Plan	on page 19, in the second bullet point under Planning gain and mitigation, the phrase <b>and allocation of neighbourhood CIL</b> should be <b>deleted</b> ;	Accept recommendation to modify the second bullet point under planning gain and mitigation on page 19 as follows:  Planning gain & mitigation <ul style="list-style-type: none"> <li>• Securing mitigation of the impacts of development</li> <li>• Ensuring there is maximum community input into measures to mitigate the impacts of development <del>and allocation of neighbourhood CIL.</del></li> </ul>	To ensure NDP reflects modification to delete P20 which is not a policy for the development and use of land.	Southwark agrees with Lambeth's proposed decision, and endorses the reasons given by Lambeth
Social	on page 58 the <b>first two</b>	Accept recommendation to delete bullet	To ensure NDP reflects	Southwark agrees

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<p>Infrastructure &amp; culture : Other guidance</p>	<p><b>bullet points</b> should be <b>deleted</b> (with consequent re-numbering);</p>	<p>points 1 and 2 on page 58 and renumber remaining bullet points as follows:</p> <p>Social Infrastructure &amp; culture : Other guidance</p> <p><del>1. CIL funding raised from development within the SoWN area and used for social infrastructure projects should only be allocated to non-profit distributing organisations operating in an area of benefit that covers the SoWN area, have appropriate charitable or social purpose objects and an asset lock (i.e. protections for the uses of the asset), ensuring that the majority of beneficiaries from the project (capital or otherwise) come from within the SoWN area of benefit. All funds should be restricted in use to the purposes applied for.</del></p> <p><del>2. A proportion of CIL generated annually from development within the SoWN area should be defrayed as revenue by a group representing the local community. This could include supporting existing projects, hiring fundraisers to support groups or setting up new projects.</del></p> <p><u>3. 1.</u> Initiatives which create jobs for local people are to be supported and could include provision of space to improve practical or vocational skills (particularly for older people and school leavers). The community will</p>	<p>modification to delete P20 which is not a policy for the development and use of land.</p>	<p>with Lambeth's proposed decision, and endorses the reasons given by Lambeth</p>
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		<p>support schemes which create sustainable ties between education providers and employers to strengthen local pathways into work.</p> <p><del>4. 2.</del> SoWN welcomes and encourages culture and tourism as a valuable part of South Bank life. Consideration should be given to the balance between the economic benefits of tourism - and particularly how these benefits can be shared among a greater geographical and socio-economic spread - and the impacts on the resident and business community of increased footfall, noise and disruption to quality of life / business as usual.</p> <p><del>5. 3.</del> On culture, planning regulation is not always conducive to the delivery of an animated South Bank and temporary installations should be delivered without unnecessary impediment where they are in appropriate places. SoWN will consider promoting a Neighbourhood Development Order to support the temporary development of cultural or public art installations, incorporating strict guidelines developed in conjunction with neighbours to ensure noise levels, the duration and nature of the installation, and its location are acceptable.</p> <p><del>6. 4.</del> There is a perceived gap between an 'affluent' South Bank and a 'deprived' Waterloo. Projects which strengthen ties</p>		
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		<p>between communities of different social economic status are to be encouraged.</p> <p><del>7. 5.</del> The South Bank is home to a wide range of cultural organisations and artists. Developers should consider supporting local artists and cultural organisations when developing their cultural strategy, implementing public or internal art and procuring creative services.</p> <p><del>8. 6.</del> Local people and organisations should be consulted on public art and culture planned as part of development.</p> <p><del>9. 7.</del> Temporary outdoor cultural activity which generates revenue should contribute to the maintenance of the public realm in the area immediately around the site. However, it is recognised that some cultural bodies' funding models dictate that revenue-generating cultural activity contributes to core functions. In such cases, this maybe considered 'public benefit'</p>		
Implementation & Delivery.	on page 74 under the heading SoWN's Role, in the third paragraph the text in line 3 from <b>and</b> to the end of that paragraph should be <b>deleted</b> , and the fifth paragraph should	<p>Accept recommendation to modify the third paragraph and delete paragraph 5 under 'SoWN's role' on page 74 as follows:</p> <p>SoWN's Role</p> <p>SoWN is the neighbourhood forum established under the provisions of the</p>	To ensure NDP reflects modification to delete P20 which is not a policy for the development and use of land.	Southwark agrees with Lambeth's proposed decision, and endorses the reasons given by Lambeth

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	<p>be <b>deleted</b>;</p>	<p>Localism Act, and recognised by both Lambeth and Southwark Councils as the designated body to prepare a neighbourhood plan for the designated area which contains parts of both Councils' administrative areas.</p> <p>SoWN has some 500 members and is administered by an elected Steering Group of 32 including residents, employees, businesses, third sector organisations, public bodies and ward councillors, providing broad representation across the South Bank and Waterloo Community.</p> <p>One of SoWN's prime objectives is to monitor the implementation of the Neighbourhood Plan, providing input into the priorities for s106 agreement obligations to mitigate the immediate impacts of developments, <del>and into decision-making on the allocation of the neighbourhood portion of CIL generated from developments in the SoWN area (and other sources of funding obtained).</del></p> <p>SoWN's working groups have collaborated to develop a set of projects that are intended to act as targets for the neighbourhood portion of CIL and, where appropriate, S106 developer contributions. These projects are put forward by the local community and represent examples of locally supported projects which fulfil the policy objectives of this plan.</p>		
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		<p><del>SoWN is committed to working with both Councils to develop appropriate arrangements and mechanisms through which the neighbourhood portion of CIL, S106 monies and other funding can be locally defrayed. It is envisaged that a formally incorporated local body will undertake the defrayal of the neighbourhood portion of CIL in partnership with the Councils in line with the policies contained in this neighbourhood plan.</del></p>		
Implementation & Delivery.	<p>on page 75 under the heading SoWN's Objectives, the second bullet point should be <b>deleted</b>, and in the third bullet point the words <b>neighbourhood CIL</b> should be <b>deleted</b>.</p>	<p>Accept recommendation to delete the second bullet point on page 75 and delete 'neighbourhood CIL' from the third bullet point on page 75 as follows:</p> <p>SoWN's Objectives</p> <p>In line with the above, SoWN's objectives are more particularly to:</p> <p><u>ensure there is local input into S106 agreements to mitigate the immediate impact of individual developments in the neighbourhood plan area, including where such agreements can support the projects list which forms part of the plan, in line with the plan's objectives, priorities and projects;</u></p> <p><del>provide local input into ensuring that the neighbourhood portion of CIL is spent in line with the priorities and projects set out in the neighbourhood plan as provided for in</del></p>	<p>To ensure NDP reflects modification to delete P20 which is not a policy for the development and use of land.</p>	<p>Southwark agrees with Lambeth's proposed decision, and endorses the reasons given by Lambeth</p>

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		<p><del>relevant government and other guidance;</del>  play a leading role with both Councils in facilitating communication between the Councils, the community and relevant local bodies in reaching agreement on the expenditure of <del>neighbourhood CL</del>, S106 funds and other funding to ensure that consensus is secured locally and the Councils have a clear single point of contact and information.</p>		
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### Appendix 3 Table 2 Proposed minor amendments to correct errors in the draft NDP

Section of draft NDP	Proposed minor amendment	Reason
Executive Summary	The neighbourhood plan includes policies and guidance on <del>six</del> <u>seven</u> key themes that reflect the outcome of a general consultation held in 2014. Thematic working groups developed planning policies that aimed to address the issues raised by local people in the consultation. These are summarised below.	Error noted by Examiner.