

MAYOR & CABINET		
Report Title	Development Policies & Site Allocations, The Preferred Options Report	
Key Decision	Yes	Item No. 9
Ward	All	
Contributors	Head of Planning & Head of Law	
Class	Part 1	Date: 18 April 2007

1. Summary

- 1.1 The Planning & Compulsory Purchase Act 2004 placed a duty on the Council to produce a new set of development plan documents (DPD). The Development Policies & Site Allocations DPD sets out the detailed development control policies that will be used to assess planning application in Lewisham.
- 1.2 This report seeks approval to undertake statutory public consultation on the preferred options for the Development Policies & Site Allocations DPD. The draft plan will be revised taking into account the results of public consultation and a final plan will be submitted to the Secretary of State for a public examination.
- 1.3 The report provides a summary of the preferred options for the Development Policies & Site Allocations DPD and the sustainability appraisal that must accompany it.

2. Purpose

- 2.1 This report seeks approval to undertake statutory public consultation on the preferred options for the Development Policies & Site Allocations DPD.

3. Policy Context

- 3.1 The changes to the planning system introduced by the Planning and Compulsory Purchase Act 2004 have placed a statutory obligation on the Council to prepare Development Plan Documents (DPD) to replace the Unitary Development Plan. The Development Policies & Site Allocations DPD sets out the detailed mostly criteria based policies to be used to assess planning applications and guide development in the borough over the next 10-15 years.
- 3.2 The Development Policies & Site Allocations DPD is a part of the Council's Local Development Framework. As such, it will be part of the Council's policy

framework as set out in the Council's constitution. As a DPD it will also require the approval of the full Council.

4. Recommendation

- 4.1 The Mayor is recommended to approve the Development Policies & Site Allocations DPD, Preferred Options Report, for statutory public consultation and recommend that the full Council do the same.

5. Background

- 5.1 The Planning & Compulsory Purchase Act 2004 (the Act) has resulted in substantial changes to the planning system in England. The key outcome of the changes is the Local Development Framework which will eventually replace the Unitary Development Plan as the Council's statutory planning framework.
- 5.2 The Local Development Framework will be a portfolio of planning documents, prepared by the Council, which collectively will deliver the planning strategy for Lewisham. The primary parts of the LDF are the development plan documents. The Council is producing four DPD, these are called the Spatial Core Strategy, the Development Policies and Sites Allocations and the Catford and Lewisham Area Action Plans.
- 5.3 The spatial core strategy is the primary DPD and all other DPD must be consistent with this strategy and help implement it. It is in this document that the Council will set out the spatial vision, objectives and strategic policies to guide development in the borough. In turn the spatial core strategy must be in 'general conformity' with the Mayor of London's spatial strategy known as the London Plan. The Mayor & Cabinet approved the preferred options for the spatial core strategy for the purpose of statutory public consultation at the meeting in February 2007.
- 5.4 The Development Policies and Site Allocations DPD is the subject of this report and it will set out the main detailed policies and reasons for those policies that will be used to consider planning applications for development or change of use. The policies will generally be criteria based and will focus on issues such as protecting residential amenity; provide the right mix and size of residential units; protection of the landscape and natural resources; nature conservation; addressing highway and transport issues; protecting the viability and vitality of town centres and addressing visual impact issues. All site specific allocations will be set out in this document, except for those set out in Area Action Plans.
- 5.5 The two Area Action Plans will set out a comprehensive set of policies and proposals for development in Lewisham and Catford Town Centres. They will include major redevelopment opportunities and major traffic and transport infrastructure changes. They will set out the planning framework for significant change and conservation, including detailed development control policies.

- 5.6 Preparing the Development Policies & Site Allocations DPD is subject to central government guidance. In effect this requires each DPD to follow the following process. The first stage is initial public consultation on the issues and options to be considered. This is so that the public and other stakeholders can be involved prior to any policy formation. This stage took place in 2005 with the publication of ten issues and options topic papers and one each for the two area action plans. The consultation on this stage is set out in the LDF - Issues and Options Consultation Report and the results helped inform the preparation of the next stage the Preferred Options Report.
- 5.7 The second stage is public consultation on the Preferred Options. Regulations prescribe that this must be for a six week period. This is the current stage reached and is the subject of this report.
- 5.8 The third stage is submission of the DPD to the Secretary of State for the purpose of independent examination. Once the Council has taken into account the comments received from the preferred options consultation it will prepare the final version of the plan. This version is again subject to a statutory six week consultation period with the public and other stakeholders.
- 5.9 The submission plan is subject to an independent examination presided over by a planning inspector. The task of the Inspector is to determine whether or not the plan is 'sound', that is, to determine whether all the correct procedures were followed in formulating the plan and that the content is also sound. The inspector will consider all the representations made during the public consultation period and will make a report which will be binding on the Council. Once the council makes any changes required by the Inspector it can then adopt the DPD.

6. Development Policies & Site Allocations, Preferred Options Report

- 6.1 The development policies & site allocations – preferred options report – is set out as Appendix 1 to this report.
- 6.2 Following the consultation on issues and options mentioned at paragraph 5.6, the comments received have informed the development of this report, the preferred options. In addition as the draft DPD has been developed account has been taken of new or updated national and regional planning guidance.
- 6.3 The development policies & site allocations DPD, Preferred Options report is structured as follows:
Section 1: Introduction explains the role and purpose of the document and explains the consultation process.
Section 2: Planning Process explains the documents relationship to national and regional policy, other LDF documents, other Council studies and documents and the sustainability appraisal of the preferred options.
Section 3: Development Policies sets out the preferred options and draft development policies grouped into themes such as housing, transport, design,

opens space and the like. Each is presented and discussed in terms of the options consulted upon in the Issues and Options report, the preferred option, the draft policy or policies and the reasons and justification for the preferred approach. The development policies provide the detailed implementation of the over arching core policies, contained in the LDFs Spatial (Core) Strategy.

Section 4: Site Allocations allocates certain land for a specific use and provides a broad development framework for each site.

Section 5: Monitoring and Implementation outlines the proposed strategy to ensure implementation and delivery of the development policies, and how these will be monitored.

Appendices provide additional material including further explanation of national policy, relationship of the strategy to the Community Strategy and a glossary.

- 6.4 The Preferred Options report for the Development Policies and Site Allocations (DPD) essentially has two parts:
- The **development policies** provide a set of criteria based policies by which planning applications for new development and change of use will be judged. These policies implement the Core Policies of the LDFs Spatial (Core) Strategy to ensure all proposed development accords with the spatial vision, objectives and strategy for the Borough.
 - The **site allocations** identify and designate land for a particular proposal (such as housing, retail, employment, mixed use etc) to ensure sufficient land is available to meet the land use needs in line with the spatial vision, objectives and strategy for the Borough as set out in the Spatial (Core) Strategy.
- 6.5 The detailed development control policies are set out on a topic basis. The housing chapter sets out the policies in relation to affordable housing; housing mix; conversions; special needs housing; lifetime homes and gypsy and travellers. The transport chapter sets out policies that deal with location and accessibility of development; traffic management and road safety; and parking control.
- 6.6 The retail and town centres chapter deals with district centres, neighbourhood centres and local parades. Policies are set out that deal with promoting the vitality and viability and the role and character of the shopping centres. Detailed policies set out the core and non-core shopping areas and the type of use that will be considered acceptable. A specific policy on protecting viable public houses from a change of use is also included.
- 6.7 The open space and biodiversity chapter sets out policies to protect these land uses from inappropriate built development and to provide improved open spaces particularly in areas of deficiency. The education, health and community facilities chapter sets out policies to direct such uses to the right locations and control the loss of such facilities.

- 6.8 The urban design chapter sets out a wide range of policies that promote good design and urban design. This includes policies on residential layout and amenity, backland and infill development and household extensions, shop front design, satellite dishes, tall buildings and the promotion of public art. This chapter also deals with the historic environment and contains policies in relation to protecting conservation areas, listed buildings, sites of archaeological importance and important local views and landmarks.
- 6.9 The sustainable environment chapter sets out a range of policies that are designed to deal with the energy used in development including the use of renewable energy; water quality, drainage and flood risk; air quality, noise and light pollution, contaminated land and construction waste.
- 6.10 The economy and employment chapter sets out the Council's draft policies in relation to this important land use. Employment land is allocated as strategic employment, local employment, mixed use employment and other employment land. Maps are included to identify these areas. Policies are then set out which state how planning applications for development or change of use will be considered. The policies in relation to the mixed use areas are of particular importance as they set out to regenerate several areas with both significant new employment and residential development and other uses suitable to a sustainable community.

7. Site Allocations

- 7.1 The site allocation part of the DPD sets out detailed maps and land use designation for 44 sites in the borough. Each site has an ordnance survey map to identify the exact boundary a description of the options that were put forward at the earlier stage of consultation and identifies the preferred option for the site. An explanation is then given of why the preferred option was chosen and the reasons for rejecting the alternatives.

8. Sustainability Appraisal Report

- 8.1 The new planning system requires consideration of sustainability issues to be integrated into the preparation of plans. All plans must therefore be accompanied by a Sustainability Appraisal which incorporates the legal requirements of the European Union Directive on Strategic Environmental Assessment.
- 8.2 A Sustainability Appraisal report for the development policies and site allocations, preferred options has therefore been prepared. The main purpose of sustainability appraisal is to appraise the social, environmental and economic effects of plan strategies and policies. Each stage of the plan making process is therefore accompanied by a sustainability appraisal, so that the likely environmental consequences of policy decisions are taken into

account at the decision making stage, and decisions can be seen to have been made in accordance with the principles of sustainable development.

8.3 The potential direct, indirect and cumulative impacts of different policy options have been identified and appraised. The SA report therefore contains a sustainability appraisal of the issues and options put forward for public comment at the first stage of the plan preparation process. It also appraises the preferred options which are the subject of this report.

8.4 It is a legal requirement that the council consult on the sustainability appraisal along side the preferred options report. In accordance with the SEA Directive, the government has designated that the sustainability appraisal report must be consulted on with the Environment Agency; the Countryside Agency; English Nature and English Heritage.

9. Financial Implications

9.1 The costs associated with the printing, publishing and consulting on the Preferred Options Report and the Sustainability Appraisal will be met from existing Planning budgets.

10. Legal Implications

10.1 The key stages and requirements in progressing the development policies and site allocations DPD to adoption and the main legal implications are described at section 5 and 6 of this report. The procedures which the Council is required to follow when producing the LDF and development plan documents in particular derive from the Planning and Compulsory Purchase Act 2004, the Town and Country Planning (Local Development) (England) Regulations 2004 and Planning Policy Statement 12 'Local Development Frameworks'. Officers are satisfied that these have been followed in producing the preferred options report for the development policies and site allocations DPD.

10.2 The function of approving DPDs is shared by Mayor and Cabinet and full Council. The preferred options report for the development policies and site allocations DPD must therefore be referred to the Council for approval to undertake statutory public consultation.

10.3 The consultation process will include certain organisations that there is a statutory obligation to consult. The Council has adopted its Statement of Community Involvement (SCI) which sets out the minimum consultation that will take place and it is a requirement of a 'sound' plan that the standards in the SCI are met.

11. Crime and Disorder Implications

11.1 The development policies include several direct references to crime and disorder implications. It has been a key theme in preparing the preferred option that the spatial implications of crime and fear of crime are directly

addressed. It is considered that in order to be sustainable new development must amongst other things be well designed, safe and accessible. Although several policies make reference to the need to plan and design for a safe environment policy U4 specifically states 'the council will require all new development to be designed to provide and improve safety and a secure environment'. The consultation will specifically involve the Safer Lewisham Partnership.

12. Equalities Implications

12.1 Equalities issues have been a central concern in formulating the preferred options report. It is specifically mentioned as one of the drivers for change which underpin the core strategy and is reflected in the detailed development control policies. An Equalities Impact Assessment will be carried out at the next stage of production prior to the final submission of the development policies and site allocations DPD to the secretary of state for independent examination.

13. Environmental Implications

13.1 Environmental issues are at the heart of the planning process and all aspects are reflected in the development policies and site allocations DPD. Policies to protect the best in the environment including open spaces and listed buildings and ensure that sustainable design and construction take place have all been included in the development policies and site allocations DPD. The Sustainability Appraisal process also ensures that an explicit identification of the environmental impact of the policies has been considered.

14. Conclusion

14.1 The development policies and site allocations DPD, preferred options report are put forward for statutory public consultation. The detailed policies and the site allocations will implement the spatial core strategy. The preferred options report is essentially the draft plan and will be amended as a result of the public consultation process.

15. Background documents and originator

Short Title Document	Date	File Location	File Reference	Contact Officer	Exempt
Planning & Compulsory Purchases Act 2004	2004	Laurence House	Planning Policy	Brian Regan	No
PPS 12	2004	Laurence House	Planning Policy	Brian Regan	No
LDF Regulations	2004	Laurence House	Planning Policy	Brian Regan	No

If you have any queries on this report, please contact Brian Regan, Planning Policy, 5th floor Laurence House, 1 Catford Road, Catford SE6 4RU – telephone 020 8314 8774.