

# Lee Forum – the Lee Neighbourhood Plan

Produced by Lee Forum

Health Check – July 2020: Undertaken by Andrew Seaman BA (Hons) MA MRTPI

## Summary of Recommendations

### 1. Process

- The Lee Neighbourhood Plan (LNP) has been developed by the Lee Forum. Much good work has clearly been undertaken leading to the current draft plan. The plan has been consulted upon under Regulation 14 of the Neighbourhood Planning (General) Regulations 2012 since which time further refinements to the LNP and its evidence have been made to develop a format suitable for further consultation and submission. This report recommends additional areas which would benefit from revision.
- There is currently both a Consultation Statement and a Basic Conditions Statement which are important documents. These will need further updates prior to the submission of the LNP to the London Boroughs of Lewisham and Royal Greenwich (the LBs). These should contain the final details of procedural compliance and consideration of the applicable Basic Conditions that should be met by any Neighbourhood Plan (NP) intending to be made. It is not clear from the Consultation Statement specifically what has altered, for example new policies/content since the Regulation 14 consultation was completed and it is recommended that this is updated (more detail in Section 5.6 - some policies appear to have been renamed) and reviewed to ensure that adequate compliance with the Regulations has been secured before submission under Regulation 15.
- The qualifying body should satisfy itself that all landowners directly affected by the LNP have been consulted/notified of its content.
- Further liaison and correspondence with the LBs would be prudent to ensure, as far as practical, that the Councils are in agreement with the process of the LNP production and its final content. A statement of common ground would be a useful addition to the evidence base.

- SEA (Strategic Environmental Assessment) and HRA (Habitat Regulations Assessment) Screening should be undertaken before submission under Regulation 15 and consultation under Regulation 16.

## 2. Content

- The LNP is broadly drafted to take into account national planning policy and the requirement to plan positively for sustainable forms of development. However, the LNP has limited references to ‘sustainable development’ within its text. The LNP could helpfully provide more explicit explanation as to how the plan will contribute towards sustainable forms of development which is a requirement of national planning policy. This should be rectified with additional content/commentary within the plan with cross references to the Basic Conditions Statement, expanded as necessary. Suggestions are made in Part 3 below on specific matters that should be addressed to ensure consistency with national policy.
- The LNP is relatively lengthy and there is some scope to reduce its overall length by refocusing on the land use policies of the plan and potentially placing some aspects of the current draft document into appendices. For example, some of the details within Sections 2 and 3.
- The LNP does not contain a clearly stated vision for its area. It would be very helpful to set out a brief explanation as to what the vision is and how it relates to the identified ‘Spatial Principles’ and how, in all its parts, this has been derived with reference to the evidence base. In terms of a possible structure the LNP (and Section 2) could follow the suggestion below:

▶ *Spatial Principles   Spatial Vision   Policy Themes and Objectives   Specific Policies   Monitoring of Effectiveness   (Projects)*

The plan contains 20 separate policies (excluding site allocations) and it would be informative and helpful for the plan to set out how the spatial principles and policies have been identified (ie presumably from an analysis of engagement events and local resident feedback etc). The policies themselves are, in the main, positive but some require specific amendment to ensure they are clearly stated land use policies and others could be clarified to be more effective in their implementation. There is a need for additional clarity on the approach to site allocations with expanded references to the evidence base. Some suggested amendments for consideration are identified to the LNP which are set out in Part 3 of this Health Check.

- Liaison with the LBs should be made to check the general conformity of the LNP with the current strategic policies of the relevant development plans. A 'Statement of Common Ground' with the LBs could encompass this and, as noted above, would be a useful addition to the evidence base prior to formal submission for Examination. If the LNP is submitted before adoption of the London Plan then this may require some amendments to the text of the plan and the evidence base to clarify the latest situation.
- A number of policy areas would benefit from review and amendment and are set out below in Part 3 of this report. These include clarity on site allocations which is currently unclear and should incorporate greater reference to the supporting evidence.
- The necessity for the lengthy section on 'projects' could be reviewed with all stakeholders.
- Consideration could be given to the inclusion of a slightly expanded Implementation/Monitoring Section.
- The Basic Conditions Statement and Consultation Statement should be finalised to the current date prior to submission (and updated ahead of the Regulation 16 consultation stage) and be available as separate discrete supporting documents. There is a need for clearer identification of the specific consultation responses in evidence (which could be an appendix to the Consultation Statement). Additionally, the Basic Conditions statement should explain with greater narrative how the LNP will deliver sustainable development and how it is in accord with the relevant strategic policies of the development plan.

**Andrew Seaman**  
**13 July 2020**

**Part 1 – Process**

	Criteria	Source	Response/Comments
1.1	Have the necessary statutory requirements been met in terms of the designation of the neighbourhood area?	<b>Lee Forum NP Basic Conditions Statement Consultation Statement</b>	<p>Yes, this requirement is met to date. Page 16 (paragraph 1.4) of the LNP indicates that the area was designated by the London Boroughs of Greenwich and Lewisham in January 2016. This is supported by a map showing the boundaries at Figure 1 and pages 3/4 of the Basic Conditions Statement.</p> <p>The minutes and/or confirmation correspondence of the designation by each London Borough should be appended to the Basic Conditions Statement or be readily available in evidence.</p>
1.2	If the area does not have a parish council, have the necessary statutory requirements been met in terms of the designation of the neighbourhood forum?	<b>Lee Forum NP Basic Conditions Statement Consultation Statement</b>	<p>The NP is being produced by Lee Forum, the designated neighbourhood forum (see above).</p>
1.3	Has the plan been the subject of appropriate pre-submission consultation and publicity, as set out in the legislation, or is this underway?	<b>Lee Forum NP Consultation Statement</b>	<p>The Consultation Statement indicates the way in which the LNP has been developed with appropriate consultation which includes a summary of the consultation approach and details of the Regulation 14 Consultation carried out in 2019.</p> <p>At present the LNP has been the subject of appropriate pre-submission consultation.</p> <p>The Consultation Statement will require updating prior to submission for Examination and should include a more detailed explanation as to how community engagement has influenced the objectives, principles, policies and projects within the plan (see below).</p>
1.4	Has there been a programme of community engagement proportionate	<b>Lee Forum NP Consultation Statement</b>	<p>The LNP refers to community involvement/engagement and a summary of activities is provided in the Consultation Statement. Further details are provided in Sections 3, 4 and 5 which set out the approach to engagement and consultation including key engagement events that have been held with summaries of the outcomes.</p>

	to the scale and complexity of the plan?		<p>Details of the various engagement approaches and the specific responses received in relation to the Regulation 14 consultation should be made available (eg as a hyperlink or separate appendix). Section 5.5 of the Consultation Statement refers to 119 returns to the community survey “with several hundred more in the pipeline”. This latter statement should be explained – where are they now, what did they say and did they influence the LNP at all?</p> <p>Section 5.6 should be expanded with additional detail of changes that have been made since the Regulation 14 consultation.</p>
1.5	Are arrangements in place for an independent examiner to be appointed?	<b>No source</b>	<p>There is no information provided on this. Whilst the qualifying body has not yet reached the stage of submitting the LNP to the LBs under Regulation 15, it is advised that discussions could helpfully begin or be scheduled on how to identify a suitable independent examiner.</p> <p>Whilst the general approach is to assess the resumes/CVs provided by prospective examiners, you may also find it very helpful in coming to a decision by reading examples of their reports on other Neighbourhood Plans.</p>
1.6	Are discussions taking place with the electoral services team on holding the referendum?	<b>No source</b>	It is not yet appropriate to put in place arrangements for a Referendum after the examination of the plan. However, as the plan advances, discussions should be held with the LBs.
1.7	Is there a clear project plan for bringing the plan into force and does it take account of local authority committee cycles?	<b>No source</b>	There is no process set out for bringing the LNP into force. This could be developed in liaison with the LBs.
1.8	Has a SEA screening been carried out by the LPA?	<b>Lee Forum NP Basic Conditions Statement</b>	No. Whilst the Basic Conditions Statement refers to EU Obligations at Section 5, there is no evidence that any SEA Screening has formally been undertaken. This screening (as opposed to any formal SEA which may not be necessary) should be remedied before the LNP proceeds to submission. If SEA screening determines that SEA is required, then

			you should consult with the LBs on any implications on process and compatibility with the relevant basic conditions.
1.9	Has a HRA screening been carried out by the LPA?	<b>Lee Forum NP Basic Conditions Statement</b>	<p>No. There is no HRA screening. Mindful of the Green Space designations in Table 1 of the LNP which may indicate potential for HRA issues to arise, this should be remedied before the LNP proceeds to submission. Liaison with the LBs on this matter would be prudent.</p> <p>Attention is drawn to the fact that the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018 were made on 5 December 2018 and came into force on 28 December 2018. These amend the prescribed Basic Condition related to Habitats Assessments - the revised Basic Condition took effect from 28 December 2018. See the following link:  <a href="http://www.legislation.gov.uk/uksi/2018/1307/contents/made">http://www.legislation.gov.uk/uksi/2018/1307/contents/made</a>  (Section 3).</p> <p>This amendment follows the ruling of the European Court in People over Wind and Sweetman on 12 April 2018.</p>

**Part 2 – Content**

	Criteria	Source	Response/Comments
2.1	Are policies appropriately justified with a clear rationale?	<b>Lee Forum NP Consultation Statement</b>	<p>The LNP does not contain a succinct ‘vision’ notwithstanding Section 2 of the LNP which is titled ‘Spatial Vision, Area Strategy and Priority Projects’. (Spatial contains a spelling error on page 20).</p> <p>The LNP indicates (page 27) that the spatial vision is underpinned by three spatial principles (Green Infrastructure; Heritage led development; Accessible and connected social nodes). However, there is no clear identified vision resulting nor a clear explanation as to how the spatial principles have been identified. This should be remedied before Regulation 16 consultation and Examination, feasibly with a short summary in the LNP with more extensive additions to the Basic Conditions/ Consultation Statement.</p> <p>Prior to the Policies of the Plan, the LNP contains a list of Priority Projects. The status and intention for these would benefit from greater clarity. Are they a necessary part of the LNP at all? At the least, an introduction to Section 2.4 would be helpful in explaining why the Projects are included, how they have been identified (as part of the community engagement activities presumably), how and when they may be progressed and by whom (and at what cost).</p> <p>Section 4 of the LNP contains the Policies. It would be sensible to provide a general explanation (before paragraph 4.1) which links the (to be defined) spatial vision, the three spatial principles and the groupings of policies. Paragraph 1.10 identifies the 6 policy themes but there is no explanation given as to how these have been identified which is an omission. Ordinarily, the land use policies are the practical means by which the delivery of the spatial vision may be achieved and therefore clarity on precisely what the policies are seeking to do and why is important. This is currently lacking and would be remedied by clearer linkages (for example at the start of Section 4) between the key items of the plan: ie, the overall vision objectives, the spatial principles, the</p>

			<p>policy themes and the land use policies themselves (which in turn have identified 'intent', 'strategic aims' and 'objectives').</p> <p>There are currently 20 policies (excluding site allocations), grouped into a number of categories: Green and Blue Spaces; Community Infrastructure; Transport and Connectivity; Building New Homes and Amenities; Local Economy; Heritage and Design.</p> <p>There are a number of 'Site allocation' policies within Section 6 albeit it is somewhat unclear as to whether these are intended to allocate land within the neighbourhood area to specific land uses or instead offer guidance for potential proposals that may come forward on the sites identified (see Part 3 below) The LNP should be amended to be clear on the intended status of this section of the plan; either in formally establishing policies which allocate land for specific land uses (supported by clear evidence) or in setting out general guidance principles for future proposals to consider. (See Part 3 below).</p> <p>The policies are, in the main, positive statements of intent and generally clearly set out. There is some scope and a necessity to ensure that they are clear<sup>1</sup> in their wording and purpose so as to aid future effective implementation. Instances for potential amended wording are identified below (see detailed comments in Part 3).</p> <p>There is useful advice to be found here:  <a href="https://neighbourhoodplanning.org/wp-content/uploads/Writing-planning-policies-toolkit-HK-071218-0907-COMPLETED-JS-complete-.pdf">https://neighbourhoodplanning.org/wp-content/uploads/Writing-planning-policies-toolkit-HK-071218-0907-COMPLETED-JS-complete-.pdf</a></p> <p>Each policy is clearly identified by a separated text box. There is no doubt what constitutes proposed planning policy.</p>
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<sup>1</sup> See PPG Reference ID: 41-041-20140306.



			<p>The intention for each policy is summarised within the LNP but the justification for the policies themselves is very limited. It is recommended that additional detail and narrative is provided to justify the policies and their wording within the plan. It is sometimes easier to provide a narrative justification which introduces each policy (ie a paragraph or two before the policy) rather than seek to provide a blanket justification for a suite of policies after they have been stated (which is what the LNP currently does).</p> <p>Some policies may require review/redrafting to ensure that they are consistent with national policy and capable of effective implementation. In a number of instances (see below) more fulsome supporting text/justification of each policy is required.</p>
2.2	Is it clear which parts of the draft plan form the 'neighbourhood plan proposal' (i.e. the neighbourhood <i>development plan</i> ) under the Localism Act, subject to the independent examination, and which parts do not form part of the 'plan proposal', and would not be tested by the independent examination?	<b>Lee Forum NP</b>	<p>The LNP is supported by a contents table and runs to 240 pages. The document is well structured and legibly laid out albeit there is scope to reduce its overall length by, for example, editing Sections 2, 3 and possibly 6.</p> <p>The Policies are contained in Section 4 (notwithstanding Section 6). Subject to clarifications (as recommended) there is sufficient clarity as to what is the NP and what will be the subject of examination.</p>
2.3	Are there any obvious conflicts with the NPPF?	<b>Lee Forum NP</b>	Part 3 below identifies matters of potential conflict with the National Planning Policy Framework (NPPF) which should be resolved.
2.4	Is there a clear explanation of the ways the plan contributes to the	<b>Lee Forum NP Basic Conditions Statement</b>	The LNP is drafted in a broadly positive manner. The need for sustainable forms of development is alluded to but not explicitly addressed within the plan and this could be remedied, feasibly with additions to Sections 1 or 2 (in association with clarifying the vision and principles).

	achievement of sustainable development?		Section 3 of the Basic Conditions Statement addresses the issue of sustainable development (with Table 3) albeit the current text could be helpfully revised in conjunction with text revisions to the LNP to explain more clearly how the LNP will contribute to the achievement of sustainable development (in association with the London Plan and the plans of the LBs). This should be remedied before Regulation 16 consultation.
2.5	Are there any issues around compatibility with human rights or EU obligations?	<b>Lee Forum NP Basic Conditions Statement</b>	<p>There is little specific information on the matter of human rights notwithstanding Section 5 of the Basic Conditions Statement. From an assessment of the documents received there would appear to be no likely outstanding issues regarding compatibility with human rights albeit this should be explained further in an expansion to Section 5 of the Basic Conditions Statement – how have human rights been considered (when, by whom, in what way) and how has this underscored the content of the LNP and its production process?</p> <p>It is, however, suggested that the qualifying body obtains a statement from the LBs confirming that the authorities agree there are no issues with the plan’s compatibility with human rights legislation.</p>
2.6	Does the plan avoid dealing with excluded development including nationally significant infrastructure, waste and minerals?	<b>Lee Forum NP Basic Conditions Statement</b>	Yes, the LNP does avoid dealing with such excluded development, and there are no potential issues regarding this matter.
2.7	Is there consensus between the local planning authority and the qualifying body over whether the plan meets the basic conditions including conformity with strategic development plan	<b>Lee Forum NP Basic Conditions Statement</b>	<p>There is no evidence to demonstrate a consensus (or otherwise) between Lee Forum and the LBs albeit it would appear that a positive ongoing relationship between them exists.</p> <p>This should be remedied (by further minuted meetings/correspondence) ideally before submission. Any areas of obvious disagreement should be obviated or minimised. A statement of common ground would be helpful.</p>

	policy and, if not, what are the areas of disagreement?		It cannot be concluded at the present time that there are no potential issues of general non-conformity (i.e. disagreement) with the strategic development plan policies of the extant development plan.
2.8	Are there any obvious errors in the plan?	<b>Lee Forum NP</b>	Some suggestions are made in Part 3 below.
2.9	Are the plan's policies clear and unambiguous and do they reflect the community's land use aspirations?	<b>Lee Forum NP Consultation Statement</b>	<p>Detailed comments are made below on the content and drafting of the LNP's Policies. The policies have clearly been shaped by the community's aspirations to date.</p> <p>Generally, the policies are clearly set out. Some would benefit from greater clarity to aid their implementation, and a further 'sense check' and potential refinement to ensure that they are clear land use policies and not general assertions of aspiration which might be contained to a degree within the text of the LNP, balanced with the advice in Planning Practice Guidance (PPG<sup>2</sup>). Greater reference to the supporting evidence sources is required throughout the LNP.</p>

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<sup>2</sup> See PPG Reference ID: 41-004-20190509.

### **Part 3 - Detailed Comments**

1. These detailed comments address all matters, both of significance and of a more minor nature, across the current LNP and are presented in Page order. (The Contents pages need updating and pagination amendments; the Policy Index is incorrect on page 8).

#### Section 1

2. Page 16. Paragraph 1.5 sets a 10 year time frame for the LNP. The rationale for this should be explained (why 10 years and not, for example, 15? How does it relate to the emerging plans of the LBs?).
3. Paragraph 1.7 refers to the NPPF of 2018 but the latest iteration is that of 2019 and this should be amended (and elsewhere). It may also be helpful to cross reference the Basic Conditions Statement at the end of this paragraph.
4. Page 17. For accuracy, it would be preferable to refer to the Consultation Statement rather than Document in paragraph 1.8.
5. Paragraph 1.10 identifies 6 policy themes. It would be beneficial to include a short explanation as to how these 6 themes have been identified through the process of community engagement/feedback etc. This could also cross reference the expanded details within the revised Consultation Statement.

#### Section 2

6. Page 20. The LNP states that there are 5 distinct qualities in the area that could add value to the wider region. Once again, the evidence for this statement should be identified. How have these 5 qualities been identified and by whom? Is it feasible to cross reference any evidence sources which support the 5 qualities, such as its sporting excellence, heritage value etc? These presumably would influence the derivation of a specific spatial vision which is currently absent and should be identified.
7. Page 25. Section 2.1 refers to how the Lee Forum Area relates to Local Plans. It would be helpful to identify in this section what the current development plan is that covers the area (ie the London Plan and the respective Core Strategy/Local Plan documents). At present, paragraphs 2.2.1 to 2.2.3 could be clearer by including the title of the respective plans which affects the subject matter. For the District Town Centres therefore this would necessitate a reference to the Lewisham Core Strategy and the Site Allocations Plan (2013). For completeness and clarity, this section should also acknowledge the London Plan. It may be prudent and helpful to discuss the content of this section of the LNP with officers from Lewisham and Greenwich.

8. Page 27. Section 2.3 identifies three Spatial Principles. It is unclear how these have been derived and therefore a brief explanation would be helpful and a cross reference to any available evidence would aid clarity. For example, why have these three principles been identified and what others were considered and discounted (eg there is no reference to transport networks which could have been included as a spatial principle)? Once again, these would presumably influence the vision for the area which should be identified.
9. Pages 28/29. The source of Figures 3 and 4 should be given.
10. Page 30. Section 2.4 identifies the Lee Forum Priority Projects. The necessity for this section of the LNP should be reviewed and its relationship to the policies section should be clarified – how do the two relate to one another? Could some of the detail be contained in an Appendix to the LNP instead? If it is retained then it would be very helpful to include some introductory text explaining how these projects have been identified, why they are considered a priority (what others may have been discounted), when they may be implemented, by whom and with what funding/partnership arrangements. The aspirations for the Lee Green District Town Centre should be agreed with the LBs and the source for the content of the Strategy plan on page 47 explained.

### Section 3

11. Page 50. Section Three refers to strengths, weaknesses and opportunities within the neighbourhood area. It would be helpful for a brief explanation as to how these have been identified (and perhaps why ‘threats’ have been excluded). Structurally, there is scope for Section Three to actually precede Section Two on the basis that there is logic to identifying strengths and weaknesses etc before stipulating priority projects for the community.

### Section 4

12. Page 60. Section 4 relates to Policies. It may be helpful to order the photographs on page 61 to be the same as the Policy themes which follow (ie the first photograph should be the River Quaggy). This section of the LNP requires some introductory text setting out how the policy themes have been identified and how they relate to the spatial vision/objectives for the neighbourhood area. Cross references to the Basic Conditions and Consultation Statements would be helpful and any other evidence sources which are relevant. These should support the ‘Policy Intent’ and ‘Strategic Aims/Objectives’ which are given for each policy area.
13. Page 64. Table 1 identifies Green Space Designations. The methodology for how this table has been created could helpfully be briefly given and the purpose and meaning of the 5<sup>th</sup> column (Proposed Additional) should be clearly stated (and clarified). For example, ref 12 is currently designated Metropolitan Open Land and the 5<sup>th</sup> column identifies it as ‘playing field’ but what does this mean in terms of land use policy? Similarly, ref 21

identifies the 'Proposed Additions' as 'Urban Green Space' but why is this the case (a cross reference to evidence is required) and is this intended to equate to Local Green Space as defined by the NPPF<sup>3</sup> (paragraph 99/100)? If so, then the evidence should indicate how the three criteria are met:

- (a) in reasonably close proximity to the community it serves;
- (b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and
- (c) local in character and is not an extensive tract of land.

Any landowners of proposed Local Green Space should be consulted.

The source for the 'Existing Designation' in column 4 should be given, eg Lewisham Core Strategy etc. However, it is unclear how the current Lewisham Core Strategy or Site Allocations Plan identifies 'urban green space'. This should be verified with the officers of the LBs if practical. A reference to any evidence source which specifically maps the boundaries of each land parcel identified in Table 1 should be provided. Without this there will be imprecision as to what land is actually affected by Policy GB1. At present the evidence folder for Green and Blue Spaces on the Lee Forum website is empty.

14. Page 67. The source for Figure 3 (if there is one) should be given. The given typology of Green Spaces in Figure 3 does not include either Urban Green Spaces or Local Green Space which seems anomalous.
15. Page 69. The policies of the LNP are clearly separated into text boxes which is sensible. The preamble to the policies which states "The following policies are created by the LNP and are in addition to existing planning policies listed in ... below" is superfluous as all development plan policies apply to proposals in any event. This should be deleted or at the least removed from the policy text boxes.
16. Policy GB1 refers to designated Green Spaces shown in Table 1 and Figure 3 (see comments above at paragraph 13). The statement in criterion A that Metropolitan Open Land should not be built on runs contrary to the development plan/Core Strategies which allow scope for some forms of justified development and should be amended (or removed as the matter is covered by the existing London and Borough plans).
17. Criterion C refers to a threshold of 10 residential units or 150 sq meters of employment space. The reasoning for these figures must be explained in evidence. For example, why not 5 units or 250 sq metres? These issues affect a number of policies and should be addressed. Without explanation, the threshold appears arbitrary and therefore unjustified.

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<sup>3</sup> <https://www.gov.uk/guidance/national-planning-policy-framework/8-promoting-healthy-and-safe-communities>

18. The criteria in Policy GB2 are detailed but their inclusion and intentions are not explained in the justification. For example, what specifically would be required to meet the requirements of number 2 (ecosystem services)? This should be addressed before Regulation 15.
19. Page 70. GB 2 requires developments of 10 units or 150sq metres of employment space to make a positive contribution to the public realm. However, why should this not apply to smaller/all scale developments? An amendment may be prudent.
20. Page 71. Policy GB3 refers again to developments of 10 units etc which needs to be justified. Criterion B, 2<sup>nd</sup> sentence refers to 'proposals' but these need to be more clearly defined. Are these development proposals on land directly affecting/adjacent to the River Quaggy Trail? Likewise, are the 'proposals' referred to within GB4 intended to be those affecting/adjacent to the Hither Green Nature Trail Link?

Policy GB3 C1 requires proposals to create a linear nature trail which may not be justified; alternatively, should this require a contribution to the creation of a linear nature trail which would reflect criterion GB3 B2?

21. Page 72. It is not appropriate for the LNP to unilaterally seek to change the validation criteria for the LBs. The first sentence of Policy GB4 A may be more appropriately worded along the following lines: "Development proposals should ensure that: ...".

To be suitably flexible and effective in its implementation, Policy GB4 B1 should not stipulate the use of any particular evaluation system although it can legitimately require proposals to 'have regard' to such systems. Thus, the criterion could read: "1. Replace trees ~~using~~ *with regard* to the Capital Asset Valuation of Amenity Trees ...". Criterion B4 would not be capable of effective enforcement/implementation and would be better placed in any supporting justification for the policy.

22. Page 75. Section 4.1.7 seeks to justify and explain the existing policies applicable to Section 4.1 of the LNP. However, it is currently insufficient in terms of explaining why the 4 policies are presented as they are (need references to the evidence), how they contribute to the spatial vision/principles, specifically why they are worded as they are and how they relate to the remainder of the development plan. It is recommended that this section (and those which conclude each policy section) is expanded or separate justification text is added for each individual policy.
23. Page 76. Missing 'the' before 'Manor House Library'.
24. Pages 78/79/80. The methodology and sources for the table and Figures 5 and 6 should be explained.

25. Page 82. The first preamble sentence before Policy CI1 should be deleted. The criteria for CI1 A are quite onerous and should be explained in the justification and with reference to any available evidence (eg is there evidence of community facility loss?). The three criteria somewhat overlap in their requirements and there is scope to refine them to be even more focused and clear (for example what is meant by under-utilisation and what is meant by increasing utilisation over a period? (how long)). A revised wording may be usefully discussed with officers from the LBs. The justification for the threshold of 10 units etc is required for CI1 C.
26. Policy CI2 refers again to the threshold of 10 units etc which requires justification. CI2 A should perhaps refer to 'adverse effects' instead of 'impacts'.
27. Whilst well intentioned, the evidence to support Policy CI3 should be referenced in the justification. Why should residential developments of 10+ units provide a public drinking water supply and why should public toilets necessarily be made available in large scale schemes (what is meant by large?)?
28. Page 86, Section 4.2.7. As noted above (paragraph 22), the justification for, and relationship between the LNP policies and the remainder of the development plan should be provided/expanded.
29. Page 88. Typo in line 6 'area'/'are'.
30. Page 92. Delete the preamble to the policy.

As drafted Policy TC1 A is not a clear land use policy. Alternatively, it could read: "The provision of cycle hire facilities and development proposals which enhance existing and/or the creation of new bus and train routes will be supported..."

The threshold of 10 units etc in Policy TC1 C is not currently justified. Feasibly the policy requirements could apply to all new developments. An alternative wording (if considered justified) could be: "Development proposals should make a positive contribution to improving air quality and reducing noise pollution in the Forum area. Proposals should, where appropriate: 1) Maximise ....".

The figure of 100m should be justified in Policy TC1 D.

31. Page 92. The criteria in Policy TC2 may not be justified in all developments. Alternatively, the wording could be altered along the following lines: "...Transport Impact Assessment. Proposals should *demonstrably consider the following*: 1) Provide more ...".
32. Page 96. The justification and relationship to existing policies and core evidence should be expanded.



33. Page 99. Delete the preamble to the policy. The issue of housing is already dealt with in some detail by the London Plan and the plans of the LBs. Care should be taken to avoid unnecessarily repeating existing policy and there may be scope to remove some of the LNP content as a consequence – liaison with the officers of the LBs is recommended to discuss this point.

Policy BHA1 refers to a threshold of 10 units which does not accord with the new London Plan and should be deleted. All new housing should arguably have regard to local housing needs. Policy BHA1 1 should refer to ‘affordable’ housing instead of ‘social’.

The reference to ‘*nano*’ housing is not defined. It may run contrary to national policy (and the London Plan) and the nationally prescribed space standards. This should be deleted unless justified.

34. Page 100. Policy BHA3 could apply to all developments and not just those of 10 units or greater and should be amended accordingly. Criterion BHA3 A6 is not required (as all policies will apply in any event).

35. The LNP should be clear about what is meant by ‘built within an existing vernacular’ in Policy BHA4 A. This is unclear as currently drafted. Criterion 2 is missing. What would constitute a good quality material in criterion 3? This should be defined or omitted. It is not appropriate to require adherence in planning policy to general design guides. Therefore criterion 7 should be amended along the following lines: “Regard is had to the detailed Design Guide within the LNP.”

36. Page 101. Policy BHA5 A should be amended in liaison with the LBs/Environment Agency. All areas of the UK are at risk of flooding. Presumably the policy means Flood Zones 2 and 3 when it refers to areas at risk and, if so, it should be clearer. It may not be reasonable to require all new development to contribute to surface water flood risk mitigation (although avoidance can be expected) and therefore this should be amended, perhaps with the addition of ‘where justified’ at the end of the second sentence.

37. Page 104. The justification for the policies, with references to any supporting evidence and their relationship with the remainder of the development plan should be explained in more detail.

38. Page 106. The reference to ‘we’ in the first line of section 4.5.1, is better omitted for clarity and to avoid any misunderstanding as to who ‘we’ represents. Eg “However, there is scope for a wider and more diverse ...”.

39. Page 107. The methodology and evidence sources behind Table 3 should be explained. Table 3 proposes two changes of sites to Locally Significant Employment Sites. The reasoning for this should be explained and the nomenclature defined. Are these sites intended to be Locally Significant Industrial Sites as referenced in the new London Plan or are they different? If the former, then the same name and definitions should apply.

40. Page 110. Policy RLE1 does not require its preamble about other policies. Criterion A4 refers to the Portas Review. This is based on 2011 research and it is arguable that the up to date approach is that advocated by Section 7 of the NPPF. The latter could therefore reasonably replace the former which would nonetheless form part of the overall evidence base underpinning the LNP and feasibly could be referred to within the policy justification.
41. Page 110. Criterion B is very draconian as drafted suggesting no change will be supported in any circumstance. This would require justification based on local economic evidence which is not readily available or, if that was not its intention, could benefit from amendment to ensure it is capable of flexible, effective and pragmatic implementation.
42. Page 111. Policy RLE2 B should be drafted to be clearer in its intentions when it is being applied. For example, “Proposals for advertisements and signage should avoid harm to the character and appearance of individual buildings and streets having regard to the interests of amenity and public safety”.
43. Policy RL3 refers to a threshold of 10 units etc when considering public realm improvements. The rationale for such a threshold and approach is unclear and should be set out in evidence or amended/deleted. Liaison with the officers of the LBs is recommended on this point. The numbering for the criteria incorrectly begins at No 2. The reference to the draft London Plan is unnecessary.
44. Policy RLE4 refers to Table 1 but presumably means Table 3. Table 3 proposes changes to the Local Employment Locations to Locally Significant Employment Sites (see paragraph 39 above) – if that is the intended new designation then there are no Local Employment Locations remaining which makes Criterion B superfluous. The policy should be clarified in this respect.

Criterion C is unclear as to what it is intended to apply to and this should be clarified/amended.

The reference to sui generis uses in criterion D is unclear and this should be amended. Liaison with the officers of the LBs is recommended to finalise these matters.

45. Page 115. The justification of the policies and their relationship to the extant development plan should be expanded with cross references to any supporting evidence.
46. Pages 119 onwards. The methodology and evidence in support of Table 5 should be explained and referenced (at the start of the section perhaps), ie the supporting Character Assessment etc.

47. Page 126. The preamble to Policy HD1 should be deleted. Criterion A refers to built heritage assets which may be clearer with the deletion of the word 'built' (and thereby encompassing archaeology as a consequence). The numbering of the policy starts at No 2 (and not No 1). Criterion A3 could helpfully include the word 'significance' which would accord with the NPPF; eg "...and utilise the significance of the heritage assets ...".
48. Page 127. The final part of Policy HD2 A2 in parentheses should be deleted from policy but could be referred to in the text below the examples.
49. Page 134. Section 4.6.7. The justification for the policies and the relationship to the extant development plan should be expanded with reference to any available evidence sources.

#### Section 5

50. Pages 136 on. Section 5 relates to 'Area Design Guidance'. Section 5.3 identifies specific guidance zones throughout the designated area but the methodology and evidence in support of these zones is not clear within the LNP and should be provided by a cross reference within the text (page 141 for example). The evidence would normally include an explanation of how the overall area was appraised (by whom) and with details of how the zones were identified with their characteristics mapped within (ie the Character Assessment etc).

#### Section 6

51. Page 193/194. Section 6 of the LNP relates to 'Site Allocations' although it is erroneously titled Section 5. As currently drafted this part of the LNP requires more clarity. A fundamental question exists: Does the LNP seek to allocate sites for specific new development uses? If it does, then the evidence explaining how sites were identified, how the existing and proposed uses were assessed (including site potential and constraints) and how the process of consultation has influenced the final content of the plan should be cross referenced and summarily explained (ie the AECOM 2017 work and any others).

However, Section 5.1 of the LNP states that it does not propose development on the identified sites by identifying them in the Plan. If this means that the sites are not to be allocated, for example to residential use, then the label 'Site Allocations' may be better described as 'Site Considerations' to ensure clarity. Consequently, the origins and purpose of Table 7 is unclear, particularly the 3<sup>rd</sup> column which identifies the proposed land use. If the LNP is not allocating sites for land use then what is the basis for the 3<sup>rd</sup> column? Is this based on the Local Plan provisions of the LBs, is it based on pre-existing planning permissions or is it based on the aspirations of the community. If the 3<sup>rd</sup> column is based on the community aspirations, then this section of the LNP should be reviewed because it would be the case that Table 3 and the subsequent Site Allocation policies are seeking to allocate land uses for new development. Clarity on this point is imperative.

52. Page 194. The reference in the first sentence to ‘development plans’ would be clearer if amended to ‘development proposals’.

53. Pages 199/215. Section 6 identifies Site Allocation Policies (SA01, SA02 etc). Given the above comments (paragraph 51) and if the LNP is not allocating sites for development then it may be more appropriate to rename such policies, for example Site Consideration Policy SC01. However, the policies as worded in each table require further refinement to ensure they are clear land use policies. For example, “Land off Dacre Park is allocated (by xxxx?) for residential development. Development proposals will be expected to demonstrably have regard to the following:

- Access to the allotments from Dacre Park should be retained;
- Unacceptable adverse impacts on the light quality of the allotments should be avoided;
- ...etc”

It should be noted that the requirement/suggestion for the production of a ‘design code’ may, given the limited scale of this site (and others), not be justified (and design matters would likely be covered adequately by other policies/guidance). It would be prudent to check this with the officers of the LBs.

If in actuality, the LNP is seeking to allocate the identified sites for development (as per Table 3), then the supporting evidence (as per the reference in paragraph 51) should be referenced and the qualifying body should assure itself that all affected landowners have been consulted appropriately. If the LNP is allocating sites then the evidence is currently unclear as to how the 9 sites within the Plan have been finalised – the AECOM study assessed 27 sites, 14 of which had potential for consideration as site allocations. Of itself, the AECOM study does not explain why the selected sites were chosen (eg it contains recommendations for further actions or a conclusion that an included site is unlikely to be available for development (Sainsburys) etc). The reasoning for the final 9 sites should be provided in order to justify the LNP.

Further liaison with the officers of the LBs is recommended to ensure this Section of the LNP is satisfactorily amended prior to Regulation 16 consultation and Examination.

### Section 7

54. Page 216. The Delivery Section is labelled Section 6 whereas it is actually Section 7.

55. Section 7.2 should be agreed with the LBs if feasible.

56. Page 238 – the glossary of terms should be checked for consistency with that in the NPPF.

57. **General** –the LNP has an indexed structured. It is good practice to include a section and a commitment to the implementation and review of the LNP and it might be helpful to devise some indicators to measure the success of the LNP in securing its aims.
58. The main focus of this report has been on undertaking a detailed assessment of the LNP in its current draft form. Prior to Regulation 15, the LNP should be updated to accommodate the necessary amendments whereby there is an opportunity to refine its overall presentation/appearance (photographs and clear maps/figures of the area can be both informative and interesting). A thorough proof-read and sense check should be made of the supporting documents prior to the Regulation 15 and subsequent consultation under Regulation 16 and the LNP itself should also be proof-read by an independent person to check for typographical errors.
59. Finally, it is recognised that the above comments will involve amendments to the LNP and its evidence. However, the time and effort that has clearly been put into the LNP to date is commendable. If the LNP can be amended and clarified where necessary with regard to the above suggestions then it will have an increased likelihood of ultimately being submitted for a successful examination.