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# **Report on Lee Neighbourhood Development Plan 2021-2031**

**An Examination undertaken for the Royal Borough of Greenwich and the London Borough of Lewisham with the support of the Lee Neighbourhood Forum on the January 2022 submission version of the Plan.**

Independent Examiner: Derek Stebbing BA (Hons) DipEP MRTPI

Date of Report: 17 November 2023

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## **Main Findings - Executive Summary**

From my examination of the Lee Neighbourhood Development Plan (the Plan) and its supporting documentation including the representations made, I have concluded that subject to the modifications set out in this report, the Plan meets the Basic Conditions.

I have also concluded that:

- the Plan has been prepared and submitted for examination by a qualifying body – the Lee Neighbourhood Forum (the Forum/LNF);
- the Plan has been prepared for an area properly designated – the Lee Neighbourhood Area, as identified on the map at page 15 of the Plan;
- the Plan specifies the period to which it is to take effect – from 2021 to 2031; and,
- the policies relate to the development and use of land for a designated neighbourhood plan area.

I recommend that the Plan, once modified, proceeds to referendum on the basis that it has met all the relevant legal requirements.

I have considered whether the referendum area should extend beyond the designated area to which the Plan relates and have concluded that it should not.

## **1. Introduction and Background**

### **Lee Neighbourhood Development Plan 2021-2031**

- 1.1 The Lee Neighbourhood Area is located within South-East London, covering an area of some 293 hectares within the Lee Green and Blackheath wards of the London Borough of Lewisham and within parts of the Kidbrooke Village and Sutcliffe, Middle Park and Horn Park and Blackheath Westcombe wards of the Royal Borough of Greenwich. The area had a population of approximately 20,650 persons at the 2011 Census within 9,242 households.
- 1.2 The area contains a number of important open spaces and parks, including Manor House Gardens (which is a Grade II Registered Park and Garden), Manor Park and the Edith Nesbit Memorial Park, plus areas of Metropolitan Open Land, which are valuable leisure and recreational resources for the local communities. The River Quaggy flows through the northern part of the area, and provides an opportunity for a river trail linking other parts of the green infrastructure network.
- 1.3 There is a wide range of community and recreational facilities across the area (as listed at Table 3 in the draft Plan). Lee Green District Town Centre is the primary retail area, within which the Leegate Shopping Centre, which was built in the 1960's, is presently the subject of

comprehensive redevelopment proposals. These proposals are recognised as being key to the regeneration of the town centre environment and to establish linkages to the sites and neighbourhoods that surround the shopping centre. The emerging new Lewisham Local Plan identifies the site for major new mixed-use (residential, employment and retail) development. The area also contains a number of important local shopping parades, such as those at Lee High Road and Burnt Ash Road, which meet local needs.

- 1.4 The Neighbourhood Area is well connected to surrounding areas by road and rail routes. However, parts of the area experience high traffic volumes, being bordered on its southern side by the South Circular Road (A205) and with the A20 road passing through Lee Green District Town Centre. There are two railway stations, Lee and Hither Green, within the area, with frequent services to Central London, other parts of South-East London and to Kent. Local bus services mainly serve the neighbouring parts of Lewisham and Greenwich, and the principal hub of those services is at Lee Green. The whole of the area is within an Air Quality Management Area (AQMA), primarily due to the high volumes of traffic on the major roads
- 1.5 Like many of the London suburbs, Lee is a community with a distinct identity, reflecting its history and patterns of development over the past 200 years. The area has a good range of services and facilities to serve its residents and the preparation of a neighbourhood plan reflects the desire by its community to put in place local planning policies which safeguard and, where possible, enhance the key characteristics and support community infrastructure of the area.

### The Independent Examiner

- 1.6 As the Plan has now reached the examination stage, I have been appointed as the examiner of the Plan by the Royal Borough of Greenwich and the London Borough of Lewisham (the Councils/RBG/LBL), with the agreement of the Forum.
- 1.7 I am a chartered town planner, with over 45 years of experience in planning. I have worked in both the public and private sectors and have experience of examining both local plans and neighbourhood plans. I have also served on a Government working group considering measures to improve the local plan system and undertaken peer reviews on behalf of the Planning Advisory Service. I therefore have the appropriate qualifications and experience to carry out this independent examination.
- 1.8 I am independent of the qualifying body and the local authorities and do not have an interest in any of the land that may be affected by the Plan.

### The Scope of the Examination

- 1.9 As the independent examiner, I am required to produce this report and

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recommend either:

- (a) that the neighbourhood plan is submitted to a referendum without changes; or
- (b) that modifications are made and that the modified neighbourhood plan is submitted to a referendum; or
- (c) that the neighbourhood plan does not proceed to a referendum on the basis that it does not meet the necessary legal requirements.

1.10 The scope of the examination is set out in Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990 (as amended) ('the 1990 Act'). The examiner must consider:

- Whether the plan meets the Basic Conditions.
- Whether the plan complies with provisions under s.38A and s.38B of the Planning and Compulsory Purchase Act 2004 (as amended) ('the 2004 Act'). These are:
  - it has been prepared and submitted for examination by a qualifying body, for an area that has been properly designated by the local planning authority;
  - it sets out policies in relation to the development and use of land;
  - it specifies the period during which it has effect;
  - it does not include provisions and policies for 'excluded development'; and
  - it is the only neighbourhood plan for the area and does not relate to land outside the designated neighbourhood area.
- Whether the referendum boundary should be extended beyond the designated area, should the plan proceed to referendum.
- Such matters as prescribed in the Neighbourhood Planning (General) Regulations 2012 (as amended) ('the 2012 Regulations').

1.11 I have considered only matters that fall within Paragraph 8(1) of Schedule 4B to the 1990 Act, with one exception. That is the requirement that the Plan is compatible with the Human Rights Convention.

### The Basic Conditions

1.12 The 'Basic Conditions' are set out in Paragraph 8(2) of Schedule 4B to the 1990 Act. In order to meet the Basic Conditions, the neighbourhood plan must:

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- have regard to national policies and advice contained in guidance issued by the Secretary of State;
- contribute to the achievement of sustainable development;
- be in general conformity with the strategic policies of the development plan for the area;
- be compatible with and not breach European Union (EU) obligations (under retained EU law)<sup>1</sup>; and
- meet prescribed conditions and comply with prescribed matters.

1.13 Regulation 32 of the 2012 Regulations prescribes a further Basic Condition for a neighbourhood plan. This requires that the making of the Neighbourhood Plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017 ('the Habitats Regulations').<sup>2</sup>

## 2. Approach to the Examination

### Planning Policy Context

2.1 The Development Plans for this part of the London Borough of Lewisham and the Royal Borough of Greenwich, not including documents relating to excluded minerals and waste development, consists of The London Plan 2021 (TLP), covering the period 2021-2041, prepared by the Mayor of London (and approved for publication by the then Secretary of State for Housing, Communities and Local Government on 29 January 2021), the Royal Greenwich Local Plan Core Strategy with Detailed Policies and accompanying Policies Map (RGLP) (adopted 30 July 2014) covering the period 2013-2028. RBG is preparing a new Local Plan to cover the period from 2021 to 2036, and a Regulation 18 Issues and Options consultation was undertaken in July-September 2023. The Council's latest Local Development Scheme (LDS) dated November 2022 envisages the Regulation 19 pre-submission consultation during Summer 2024 and formal submission of the draft Plan to the Secretary of State in Autumn 2024, with examination Hearings expected to be in Spring 2025. Statutory plans covering the London Borough of Lewisham are the Lewisham Core Strategy and Policies Map covering the period from 2011 to 2026 and adopted in June 2011, the Site Allocations Local Plan (adopted June 2013), the Lewisham Town Centre Local Plan (adopted February 2014) and the Development Management Local Plan (adopted December 2014) (collectively, the LLP). LBL is also preparing a new Local Plan which will

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<sup>1</sup> The existing body of environmental regulation is retained in UK law.

<sup>2</sup> This revised Basic Condition came into force on 28 December 2018 through the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018.

cover the period from 2020 to 2040. A Regulation 19 pre-submission consultation was undertaken in March-April 2023. The Council's latest LDS (December 2022) envisaged the submission of the draft Plan to the Secretary of State for examination in Summer/Autumn 2023.

- 2.2 There are a significant number of strategic planning policies within the above-mentioned adopted Development Plan documents which affect the Plan area. These are fully listed at Table 4 of the Basic Conditions Statement and are not set out within this report. Where appropriate, I make reference to the relevant policies and proposed site allocations within the Councils' adopted plans as they affect the draft policies, site allocations and other guidance within this Plan, as part of my detailed assessment contained in Section 4 of this report. Readers should refer to the Basic Conditions Statement and to the adopted Plans for further information on all relevant strategic planning policies and other policy guidance that affects the Plan area.
- 2.3 The Basic Conditions Statement (at Section 4) provides a comprehensive assessment of how the policies proposed in the Plan have regard to national policy and are in general conformity with the relevant strategic policies in the adopted Development Plans. These plans, adopted between 2011 and 2021, provide the necessary strategic planning context for the Neighbourhood Plan, and this has enabled the Neighbourhood Plan and its policies to be prepared.
- 2.4 Planning policy for England is set out principally in the National Planning Policy Framework (NPPF). It is accompanied by the Planning Practice Guidance (PPG) which offers guidance on how this policy should be implemented. All references in this report are to the latest iteration of the NPPF<sup>3</sup> and the accompanying PPG. A minor amendment<sup>4</sup> will be necessary to update references in the draft Plan to the NPPF (September 2023), for example at page 17.

### Submitted Documents

- 2.5 I have considered all policy, guidance and other reference documents I consider relevant to the examination, including those submitted which comprise:
- the draft Lee Neighbourhood Development Plan 2021-2031 submission version (January 2022) and its Annexes;
  - the Strategic Environmental Assessment (SEA) Environmental Report (January 2022) (AECOM);
  - the Habitats Regulations Assessment (HRA) Screening Report (June 2021);

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<sup>3</sup> A new version of the NPPF was published during the examination on 5 September 2023. It sets out focused revisions (to the previously published version of 20 July 2021) only to the extent that it updates national planning policy for onshore wind development. As such, all references in this report read across to the latest 5 September 2023 version.

<sup>4</sup> See paragraph 4.74 of this report.

- the Basic Conditions Statement (January 2022);
- the Consultation Statement (January 2022);
- all the representations that have been made in accordance with the Regulation 16 consultation<sup>5</sup>; and
- the request for additional clarification sought in my letter of 11 September 2023 to the Councils and the Forum and their responses dated 26 September 2023 (the Councils) and 12 October 2023 (the Forum).<sup>6</sup>

## Supporting Documents

2.6 I have also considered the various supporting documents to the submission Plan, including:

- Lee Neighbourhood Plan – Site Assessment Final Report (November 2017) (AECOM);
- Lee Heritage and Character Assessment (March 2017) (AECOM);
- Lee Green District Centre – Neighbourhood Plan Design Guidelines (2019) (AECOM); and
- Burnt Ash Hill Streetscape Improvements (2016) (London Borough of Lewisham/Transport for London).

I have also taken into consideration the joint Statement of Common Ground (SoCG), attached as a separate file to this report as Appendix 2, agreed on 20 July 2023 between LBL, RBG and the LNF.<sup>7</sup> This was prepared at the request of the LNF and sought to confirm matters of agreement and disagreement between the Councils and the Forum, following the Regulation 16 consultation responses made by LBL and RBG. It comprises two sections, Table 1 setting out details of agreement and disagreement (between LBL, RBG and LNF) on the draft policies in the Plan and Table 2 setting out details of agreement and disagreement (between LBL and LNF) on the proposed site allocations in the Plan, which are entirely within LBL. To avoid unnecessary repetition, references to the SoCG in this report are made simply as, by way of example, “SoCG Page 11”.

## Examiner Questions

2.7 Following my appointment as the independent examiner and my initial review of the draft Plan, its supporting documents and the representations made at the Regulation 16 stage, I wrote to the Councils and the Forum on 11 September 2023<sup>8</sup> seeking further clarification and information on four matters contained in the submission Plan, as follows:

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<sup>5</sup> View at: [Lewisham Council - Lee Neighbourhood Forum and Area](#)

<sup>6</sup> View at: [Lewisham Council - Lee Neighbourhood Forum and Area](#)

<sup>7</sup> View at: <https://lewisham.gov.uk/myservices/planning/policy/neighbourhood-plans/lee-neighbourhood-forum-and-area>

<sup>8</sup> View at: <https://lewisham.gov.uk/myservices/planning/policy/neighbourhood-plans/lee-neighbourhood-forum-and-area>

1. With regard to Table 2 (Green Space Designations) in the draft Plan, I sought confirmation from the Councils that the status and designation of the Green Spaces for their respective Boroughs, as listed in the fourth column of this table, is correct. I also requested that the Councils advise me whether the proposed additional designations of various sites within each Borough, as listed in the fifth column of the table, would be supported in relation to the relevant Local Plan open space policies and typologies.
2. With regard to Policy TC2 in the draft Plan, I noted from the Transport for London (TfL) representations that were made at the Regulation 16 consultation stage that the Plan should identify the 'strategic neighbourhood routes' referenced in clause 4 of this policy. I had not been able to identify the routes in question, and they are not shown on Figure 8 at page 56 in the Plan. I therefore requested that the Forum provide me with a suitable map that identifies the 'strategic neighbourhood routes' which I can consider as a potential modification to the Plan.
3. With regard to Section 4.3.6.1 and Table 4 in the draft Plan, I confirmed that I shall take into account the joint Statement of Common Ground (SoCG) (dated 20 July 2023) that had been prepared in response to matters raised by the Councils at the Regulation 16 consultation stage. With regard to the housing site allocations contained in the Plan (which are all within the London Borough of Lewisham), I noted that they are to be regarded as 'design-led site allocations'. The SoCG identifies a significant number of proposed amendments to the text of the proposed site allocations (SA01-SA12) which are set out between pages 81 and 104 in the draft Plan, including the deletion of certain sites from the Plan (e.g. Site SA04). In order that I could consider the full extent of the revisions identified in the SoCG (at pages 26-32), and to significantly reduce the number of potential modifications to the Plan, I invited the Qualifying Body to provide me with draft amended content for Section 4.3.6.1, Figure 11, Table 4 and each of the site allocations to be retained in the Plan, which I could consider as a potential consolidated modification to the Plan. I further noted that I would wish to see appropriate text within Section 4.3.6.1 stating that the site allocations are to be design-led, with appropriate references to the relevant design guidance and policies in order to assist users of the Plan in considering development proposals for the sites. I also confirmed that I would visit each of the sites during the course of my site visit to the Plan area.
4. With regard to sustainable development, I noted that the draft Plan states at paragraph 1.2, that the Plan "*.... will help to create a cohesive, healthy and sustainable environment ....*". However, as drafted, I considered that the Plan does not presently contain a sufficiently clear statement which addresses the national requirement to contribute to the achievement of sustainable development, as it applies to the Plan area. I therefore invited the Forum to consider

providing some suitable text in order to address this point for inclusion in Section 3 (possibly as an extension of paragraph 3.2) which I may consider as a potential modification to the Plan.

- 2.8 In response to my letter of 11 September 2023, the Councils provided me with their joint response to Question No. 1 on 26 September 2023<sup>9</sup> and the Forum provided its responses to Question Nos. 2, 3 and 4 on 12 October 2023.<sup>10</sup> I have taken full account of the additional information contained in these responses as part of my assessment of the draft Plan, alongside the documents listed at paragraphs 2.5 and 2.6 above.
- 2.9 To avoid unnecessary repetition in subsequent sections of this report, I refer to the questions and to the responses from the Council and Forum by their relevant number, e.g. Question No. 1. Readers should refer to paragraph 2.7 above, and to the response documents from each Council for the full text of questions and responses.

### Site Visit

- 2.10 I made an unaccompanied site visit to the Neighbourhood Plan Area on 7 October 2023 to familiarise myself with it and visit relevant sites and areas referenced in the Plan, evidential documents and representations.

### Written Representations with or without Public Hearing

- 2.11 This examination has been dealt with by written representations. I considered hearing sessions to be unnecessary as the consultation responses clearly articulated the objections and comments regarding the Plan and presented arguments for and against the Plan's suitability to proceed to a referendum. I am satisfied that the material supplied is sufficiently comprehensive for me to be able to deal with the matters raised under the written representations procedure, and that there was not a requirement to convene a public hearing as part of this examination. In all cases, the information provided has enabled me to reach a conclusion on the matters concerned.

### Modifications

- 2.12 Where necessary, I have recommended modifications to the Plan (**PMs**) in this report in order that it meets the Basic Conditions and other legal requirements. For ease of reference, I have listed these modifications in full in Appendix 1 to this report.

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<sup>9</sup> View at: <https://lewisham.gov.uk/myservices/planning/policy/neighbourhood-plans/lee-neighbourhood-forum-and-area>

<sup>10</sup> View at: [Lewisham Council - Lee Neighbourhood Forum and Area](#)

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### 3. Procedural Compliance and Human Rights

#### Qualifying Body and Neighbourhood Plan Area

- 3.1 The Plan has been prepared and submitted for examination by the LNF. An application to the Councils for the designation of the proposed Neighbourhood Area and for the designation of the Forum as the Qualifying Body for the preparation of a neighbourhood plan was made on 22 September 2015. RBG and LBL formally designated both the Neighbourhood Area and the Forum on 29 January 2016 and 13 January 2016 respectively, following a joint public consultation for six weeks between 8 October and 20 November 2015.<sup>11</sup> The Neighbourhood Area and the Forum were re-designated by RBG and LBL on 21 June 2021 for a further five-year period, and this should be referenced at paragraph 1.4 in the submission Plan, as a minor amendment.<sup>12</sup>
- 3.2 The designated Neighbourhood Area is shown on the map (Figure 2) at Page 15 in the submission Plan and at Figure 1 in the Basic Conditions Statement. I am satisfied that the Lee Neighbourhood Plan is the only Neighbourhood Development Plan in the designated area.
- 3.3 The LNF is the Qualifying Body for the preparation of the Plan. The preparation of the Plan has been led by volunteer members of the Forum, which was formally established in January 2016, and which comprises local residents, representatives of local businesses and other interested members of the community. In accordance with the Constitution of the Forum, membership was open to:
- i. all individuals who live in the area;*
  - ii. all individuals who work in the area, whether for business carried on there or otherwise;*
  - iii. all community organisations which operate in the area, through their duly appointed representatives (the term community organisation includes conservation societies, parks and special buildings or amenities user groups, charities, churches and other religious establishments, welfare organisations and other bodies which operate wholly or partly within the area and whose aims are consistent with the purpose of the Forum);*
  - iv. businesses, educational establishments or other entities which operate in the area, through their duly appointed representatives;*
  - v. elected representatives from each local authority ward, the whole or part of which falls within the area, as ex officio members;*
  - vi. individuals who have a material and ongoing social, cultural, economic or financial interest in or involvement in the area who support the purpose of the Forum and provide the Secretary with satisfactory evidence of eligibility."*

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<sup>11</sup> View at: [Lewisham Council - Agenda for Mayor and Cabinet on Wednesday, 13th January, 2016, 6.00 pm](#)

<sup>12</sup> See paragraph 4.74 of this report.

## Plan Period

- 3.4 The draft Plan specifies (in paragraph 1.5) the period to which it is to take effect, which is from 2021 to 2031. This should also be specified on the front cover of the Plan, and I recommend modification **PM1** accordingly. The Plan period encompasses the remaining part of the plan period for the adopted LLP and the adopted RGLP (up to 2030). I make a recommendation and proposed modification **PM26** (see paragraph 4.71 below) with regard to the future review of the Plan to take account of the emerging reviews of the adopted Local Plans.

## Neighbourhood Plan Preparation and Consultation

- 3.5 The Consultation Statement and its Appendices sets out a comprehensive record of the Plan's preparation and its associated engagement and consultation activity between January 2016 and January 2022. The decision to undertake the preparation of the Neighbourhood Plan was taken by the Forum in early-2016.
- 3.6 The preparation of the Plan and the associated community engagement and consultation has involved four main stages, as follows:
- Stage 1: Initial work and community engagement (Spring 2016 to Spring 2017).
  - Stage 2: Research and survey work, and preparation of evidence base documents, led by seven working groups (Summer 2017 to Autumn 2018).
  - Stage 3: Preparation of draft Plan, supporting studies and pre-submission Regulation 14 consultation on the draft Neighbourhood Plan (Regulation 14) (Autumn 2018 to Autumn 2019).
  - Stage 4: Revisions and amendments to draft Plan following Regulation 14 consultation, Health Check and preparation of final draft Plan and supporting documents. Submission to the Council (Regulation 15), Regulation 16 consultation and submission for examination under Regulation 17 (Spring 2020 to Autumn 2023).
- 3.7 Stage 1 was focused upon extensive community engagement activities across the Neighbourhood Area, survey work and the identification of the themes and topics that would be covered by the Plan.
- 3.8 Work was concentrated during Stage 2 on preparing the evidence base studies that underpin the draft Plan's policies and guidance.
- 3.9 During Stage 3, work was focused on the preparation of the draft Plan, supporting studies and accompanying consultation material for the pre-submission Regulation 14 consultation process.
- 3.10 The Regulation 14 draft Plan public consultation was undertaken between 2 July and 31 August 2019. A total of over 120 responses were received to the Regulation 14 consultation and Sections 5.5-5.7 of the Consultation Statement contain a summary of the responses received and the actions

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taken in relation to the comments received. The consultation was accompanied by extensive local publicity and advertising across the Plan area, with a leaflet being distributed to homes and businesses in the area and with in-person consultation events being held during the consultation period. Certain statutory and non-statutory consultees (as listed at Table 2 in the Consultation Statement) were contacted separately, including the Councils, the Greater London Authority, Historic England, Natural England and the Environment Agency. Table 4 contains the summaries of the consultation responses submitted by those bodies. A series of amendments were made to the draft Plan to take account of consultation responses.

- 3.11 Stage 4 included the finalisation of the draft submission Plan and its supporting documents, and approval by the Forum of the draft Plan, as amended, for submission to the Councils for examination.
- 3.12 The Consultation Statement provides a full record of the consultation and engagement work that was undertaken during the preparation of the Plan, particularly regarding the Regulation 14 pre-submission consultation held in July-September 2019.
- 3.13 The Forum duly resolved at its meeting held on 16 December 2021 to submit the Plan to the Councils for examination under Regulation 15, and the Plan was then formally submitted in January 2022. Regulation 16 consultation was then held for a period of eight weeks from 11 March to 6 May 2022. A total of 30 duly made responses were received during the consultation period, including two separate representations submitted by one respondent. From my assessment of the Consultation Statement, I am satisfied that a transparent, fair and inclusive consultation process has been followed for the Plan, that has had regard to advice in the PPG on plan preparation and engagement and is procedurally compliant in accordance with the legal requirements.

#### Development and Use of Land

- 3.14 I am satisfied, subject to the modifications in this report, that the draft Plan sets out policies in relation to the development and use of land in accordance with s.38A of the 2004 Act.

#### Excluded Development

- 3.15 From my review of the documents before me, the draft Plan does not include policies or proposals that relate to any of the categories of excluded development.<sup>13</sup> The Greater London Authority is the Minerals and Waste Planning Authority for the Plan area, and the relevant planning policies for minerals and waste are set out in The London Plan.

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<sup>13</sup> The meaning of 'excluded development' is set out in s.61K of the 1990 Act.  
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## Human Rights

- 3.16 Neither the Council nor any other party has raised any issues concerning a breach of, or incompatibility with Convention Rights (within the meaning of the Human Rights Act 1998). From my assessment of the Plan, its accompanying supporting documents and the consultation responses made to the Plan at the Regulations 14 and 16 stages, I am satisfied that the Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act 1998. I consider that none of the objectives and policies in the Plan will have a negative impact on groups with protected characteristics. Many will have a positive impact.

## 4. Compliance with the Basic Conditions

### EU Obligations

- 4.1 LBL issued a Strategic Environmental Assessment (SEA) Screening Report in June 2021 and a Habitats Regulations Assessment (HRA) Screening Report also in June 2021 in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 ('the SEA Regulations') and the Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations). These Screening Reports were prepared on the basis of the pre-submission policies contained in the draft Plan (dated November 2020), following the Regulation 14 consultation in July-August 2019 and prior to the Forum's approval of the draft Plan for submission.

- 4.2 The SEA Screening Report concluded at Section 5 that:

*"5.1. As a result of the screening assessment in section 4 of this report, the Council considers that Lee NDP is likely to have significant environmental effects by virtue of containing site allocation policies and policies that extend beyond the remit of the current development plan and the emerging draft Local Plan and therefore have not been already subject to a Sustainability Appraisal or SEA.*

*5.2 The Council's draft screening opinion is therefore that an SA/SEA of the NDP should be undertaken."*

The Screening Report was the subject of consultation with Historic England, Natural England and the Environment Agency.

- 4.3 Following the SEA Screening Report, AECOM were appointed to prepare an SEA Environmental Report on behalf of the LNF. This report was finalised in January 2022, and accompanies the submission draft Plan. Initially, a Scoping Report was prepared in September 2021 and was subject to consultation with Historic England, Natural England and the Environment

Agency, whose responses are recorded at Table 3.1 in the Environmental Report. The SEA Framework is set out at Section 3 of the report, and Section 4 contains an appraisal of the draft Plan's policies and proposed site allocations (SA01-SA12) against the seven themes of air quality, biodiversity and geodiversity, climate change, landscape and townscape, historic environment, community wellbeing and transportation. The report concludes at Section 5 (at paragraphs 5.50-5.55) that the draft Plan is likely to bring positive effects or beneficial approaches in respect of each of the seven themes, with significant positive effects in respect of community wellbeing. It recommends with regard to biodiversity, that developers use the Government's latest biodiversity metric tools, which includes a specific metric for smaller development sites.

4.4 I have considered the SEA methodology and appraisals set out in both the Screening Report (at Section 4) and the Environmental Report (at Sections 3 and 4), by which the draft Plan was initially screened and then subject to full SEA appraisal. I am satisfied that a comprehensive and rigorous approach has been taken and that the Plan has been appropriately assessed to take full account of any potential effects upon interests of environmental, landscape, historic and heritage importance.

4.5 The HRA Screening Report notes that no designated European sites fall within the Neighbourhood Plan Area, nor are any located within the LBL boundary. However, consistent with best practice approach, four European sites within 15 kilometres radius of the LBL boundary were included in the screening assessment, these being the Lee Valley Special Protection Area (SPA) and Ramsar site (wetland), the Richmond Park Special Area of Conservation (SAC), the Wimbledon Common SAC and the Epping Forest SAC. The Screening Report concludes (at paragraphs 5.2 and 5.3) that:

*"5.2 Since there are no European Sites within the borough and those identified for the screening are within 15km of the borough boundary, the draft determination of this assessment is that none of the policies contained in the draft NDP has been found to have a likely significant effect on any designated European Site.*

*5.3 In particular, the draft NDP either on its own or in combination with any other relevant plans and projects, are unlikely to result in significant effect on the primary reasons for the designation of the European Sites and there is therefore no need to undertake tasks two and three of the Habitats Regulations Assessment."*

The HRA Screening Report therefore concludes that a full HRA Appropriate Assessment of the Plan is not required. I have noted that Natural England do not raise any concerns regarding the report or its conclusion.

4.6 Therefore, I consider that on the basis of the information provided and my independent consideration of the SEA and HRA Screening Reports, the SEA Environmental Report and the draft Plan itself, I am satisfied that the Plan is compatible with EU obligations under retained EU law.

## Main Assessment

- 4.7 The NPPF states (at Paragraph 29) that "*Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan*" and also that "*Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies*". The NPPF (at Paragraph 11) also sets out the presumption in favour of sustainable development. It goes on to state (at Paragraph 13) that neighbourhood plans should support the delivery of strategic policies contained in local plans; and should shape and direct development that is outside of these strategic policies.
- 4.8 Having considered above whether the Plan complies with various legal and procedural requirements, it is now necessary to deal with the question of whether it complies with the remaining Basic Conditions (see paragraph 1.12 of this report), particularly the regard it pays to national policy and guidance, the contribution it makes to sustainable development and whether it is in general conformity with strategic development plan policies.

## Specific Issues of Compliance

- 4.9 I test the Plan against the Basic Conditions by considering specific issues of compliance of the Plan's 23 policies (and proposed site allocations), which address the following themes: Green and Blue Spaces; Transport and Connectivity; Building Homes and Amenities; Local Retail, Leisure and Economy; and Heritage and Design. As part of that assessment, I consider whether the policies in the Plan are sufficiently clear and unambiguous, having regard to advice in the PPG. A policy should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence.<sup>14</sup> I recommend some modifications as a result.

## Plan Overview

- 4.10 The Plan is addressing the ten-year period from 2021 to 2031 and seeks to provide a clear planning framework to ensure that the green spaces, heritage, architecture, community assets and local amenities in the Plan area are protected and enhanced, whilst ensuring that future developments help to create a cohesive, healthy and sustainable environment and encourage the creation of an ongoing history for the current and future benefit of all.

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<sup>14</sup> PPG Reference ID: 41-041-20140306.

- 4.11 Section One of the Plan, entitled 'Background and Statutory Compliance', provides an introduction to the Plan describing the background to its preparation, the designation of the LNF, a brief description of the area and the necessity for the Plan to be in conformity with the strategic planning policies of The London Plan and the Lewisham and Greenwich Local Plans. It refers to Annex 4 at pages 245-247 of the Plan which lists the key evidence base studies that have informed the preparation of the Plan and its policies. This section includes the map of the designated Neighbourhood Area at page 15.
- 4.12 Section Two of the Plan, entitled 'Lee Forum Area Appraisal', identifies the strengths, weaknesses and opportunities that exist within the Plan area, drawing upon the material in Annex 2 (Lee Forum Area Profile and History) at pages 228-237 of the Plan and in Annex 3 (How The Lee Forum Area Relates to the Wider Area) at pages 238-244 of the Plan. The strengths, weaknesses and opportunities are described for the Local Economy, Heritage and Design, Green and Blue Spaces, Homes and Amenities and for Transport and Connectivity. This is followed by a summary of the unique qualities in the Plan area that need to be protected and enhanced, the key issues that need to be addressed through planning and regeneration and the priorities to guide investment and future regeneration opportunities.
- 4.13 Section Three of the Plan, entitled 'Spatial Strategy' contains the Spatial Vision for Lee, three high-level Spatial Principles and an introduction to the five Policy Themes of the Plan (Green and Blue Spaces, Transport and Connectivity, Building Homes and Amenities, Local Retail, Leisure and Economy and Heritage and Design).
- 4.14 The Spatial Vision states that:

*"We'd like Lee to be a distinctive and welcoming place attracting people from a wide catchment area to visit, work, study, shop and stay. We want to see the District Town Centre thrive once more. New development should respect the much-loved heritage architecture and contribute to a sustained local economy and healthy environment. We want future development to contribute to enhancing the best of Lee's natural heritage assets, protecting and connecting green infrastructure, particularly a linear park making the River Quaggy a public asset to be enjoyed by all."*

Figure 4 (at page 36) describes the Spatial Vision in diagrammatic form.

## Policies

- 4.15 Section Four of the Plan contains the suite of planning policies in five sub-sections (4.1-4.5) for each of the Policy Themes set out above.

## Green and Blue Spaces

- 4.16 Section 4.1 of the Plan covers the theme of Green and Blue Spaces within the Plan area and contains six policies (Policies GB1-GB6) which address the topics within this theme.
- 4.17 Policy GB1 (Protection and Enhancement of Green Spaces) is in four parts (A-D) and states that all designated Green Spaces (as shown on Figure 5 and listed in Table 2) should be protected and enhanced. It further states that proposals that achieve net gain in biodiverse green space, improvements to the landscape setting and access to existing or new green spaces will be supported, that developments of 10 or more residential units and 150 square metres or more of retail and employment space should draw up a landscape scheme to demonstrate how improvements are to be achieved, and that development adjacent to green space should provide active frontages onto the space to provide natural surveillance. The policy is supported by a list of 23 designated Green Spaces at Table 2, which are shown on Figure 5.
- 4.18 As Question No. 1 (see paragraph 2.7), I sought confirmation from the Councils that the status and designation of the Green Spaces for their respective Boroughs, as listed in Table 2, is correct and whether the proposed additional designations of various sites within each Borough, as listed in the 5th column of the table, are supported. The Councils' joint response dated 26 September 2023 (at Table 1) does include revisions to Table 2, which include an objection to the listing of Site No. 9 (South Circular Amenity Green Triangle). I concur with the Councils' proposed revisions and, as part of recommended modification **PM2**, Table 2 in the draft Plan should be amended to take account of the Councils' comments in their joint response.
- 4.19 Both Councils made representations concerning the text of this policy at the Regulation 16 consultation stage, and these concerns are addressed at SoCG Page 7. This identifies agreed amendments to Parts A and C of the policy text, and I concur with those amendments, which are also included as part of recommended modification **PM2**.
- 4.20 Policy GB2 (Achieving a Green Infrastructure-led Development Approach) states that that developments of 10 or more residential units and 150 square metres or more of retail and employment space will be required to make a positive contribution to the quality of the public realm through biodiversity, green infrastructure provision and permeable surfaces wherever possible. It lists seven criteria which the provision of green infrastructure should take into account.
- 4.21 Both Councils also made representations concerning the text of this policy at the Regulation 16 consultation stage, and these concerns are addressed at SoCG Page 7. This identifies two agreed amendments to the policy text, and I concur with those amendments. Furthermore, I consider that a third amendment is necessary to reflect the recommendation contained

in the SEA Environmental Report. The necessary amendments are addressed by recommended modification **PM3**.

- 4.22 Policy GB3 (Designation of Nature Improvement Areas: River Quaggy Trail and Hither Green Nature Trail) states that two Nature Improvement Areas (NIA) are to be designated (The River Quaggy Trail and the Hither Green Nature Trail Link), which are described in Parts B and C respectively of the policy and defined illustratively on Figure 7. Both Councils have raised significant concerns regarding this policy, and these concerns are addressed at SoCG Page 8. The Councils agree on the position that the NIAs represent a project rather than a policy, whilst the Forum wish to retain the policy, pointing to the supporting evidence summarised at paragraph 4.1.7. The SoCG states that the LNF and the Councils are agreed that the examiner should decide the “soundness” of this policy.<sup>15</sup>
- 4.23 I have given very careful consideration to the policy as drafted and to the content of the SoCG regarding the Councils’ representations. I visited the areas proposed to be designated as NIAs during the course of my site visit. It is my assessment, from everything that I have seen and read, that the Plan cannot designate NIAs (which were established by a Government-led programme), but that Local NIAs can be designated by local nature partnerships and local planning authorities (i.e. the Councils), potentially in partnership with the Forum. At this stage, however, any proposals for Local NIAs are not sufficiently well advanced to be included in the Plan. The policy therefore requires amendment to address this point. I do see significant merit in the Forum’s proposals for the River Quaggy Trail and the Hither Green Nature Trail Link, which will enhance the ecological corridors through parts of the Plan area, and secure biodiversity gains and opportunities for active travel. As part of my consideration, I have also taken account of similar proposals in the made Grove Park Neighbourhood Plan (GPNP) for the Grove Park Neighbourhood Area that is directly to the south of the Lee Neighbourhood Area. I consider that Policy GI2 in the GPNP provides a basis for an appropriate policy in this Plan, particularly as both Plans share common objectives for the improvement and enhancement of green infrastructure in their areas. Accordingly, I recommend modification **PM4** to address the necessary amendments to the policy.
- 4.24 Policy GB4 (Protection and Increase of Tree Cover) is in two parts. Part A states that it is requested that Councils’ validation criteria include a requirement to consult the respective tree protection officers and the LNF to ensure the protection of trees as part of development schemes. It sets out six criteria which the Councils are requested to take into consideration. Part B states that the removal of trees subject to Tree

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<sup>15</sup> Note that whilst the SoCG uses the term “soundness”, this relates to Local Plan Examinations (see NPPF, Paragraph 35). Neighbourhood Plans are tested against the Basic Conditions as set out in paragraphs 1.12-1.13 above. For a more fulsome explanation of the distinction, see Paragraph 29, *Crownhall Estates Ltd, R (on the application of) v Chichester District Council & Ors [2016] EWHC 73 (Admin) (21 January 2016)*.

Preservation Orders and any mature tree is not supported. Where the removal of existing trees cannot be avoided, it lists four criteria that development proposals should take into account.

- 4.25 Both Councils raised representations concerning this policy, as drafted, and I share the nature of their concerns, particularly regarding Part A of the policy which is not drafted in the form of a policy, but rather as seeking to adjust the validation criteria that are part of the development management process. The SoCG at Page 8 addresses the Councils' concerns and states that the LNF and the Councils are agreed that the examiner should decide the soundness of this policy (see Footnote No. 15). I have given careful consideration to the policy and, taking into the account the Councils' concerns and my own assessment, I conclude that it requires significant amendment to constitute an effective land-use planning policy. I therefore recommend modification **PM5** accordingly.
- 4.26 Policy GB5 (Managing Flood Risk) is in four parts and states that development within or adjacent to areas in Flood Zones 2 and 3 must demonstrate that it will not increase flood risk and will contribute to surface water flood risk mitigation in the area, by the incorporation of sustainable drainage systems (SuDS), permeable surfaces for parking and driveway areas and avoiding fully paved front garden areas. Both Councils made representations concerning this policy, as drafted, and these concerns are addressed at SoCG Pages 9 and 10. The SoCG records agreement between the Councils and the Forum on amendments to Parts A, B and D of the policy text. I concur with the proposed amendments and recommended modification **PM6** reflects my own consideration of the draft policy and the SoCG.
- 4.27 Policy GB6 (Protection and Enhancement of Lee's Playing Fields) states that development will not be permitted that would result in the loss or would prejudice the use of all or part of an existing playing field. Both Councils also raised concerns regarding this policy and those concerns are addressed at SoCG Page 10. The SoCG records that it is agreed between the Councils and the Forum that the exceptions within the Sport England policy guidance should be listed. I have given careful consideration to the draft policy and to the SoCG. In my assessment, the policy as drafted, and also with the suggested amendments identified in the SoCG, is simply replicating national guidance published by Sport England, who would be a statutory consultee on any proposals affecting playing fields and adopted Local Plan policies for both RBG and LBL. I am satisfied that the national policy guidance and the adopted Local Plan policies already provide clear and adequate policy protection for the existing playing fields within the Plan area, and I conclude that this policy should be deleted. I recommend a modification to that effect as **PM7**.
- 4.28 With recommended modifications PM2-PM7, I consider that the draft Plan's section on Green and Blue Spaces and its accompanying policies (Policies GB1-GB5, with the deletion of Policy GB6) is in general conformity with the strategic policies of the TLP, RGLP and LLP, has regard

to national guidance, would contribute to the achievement of sustainable development and so would meet the Basic Conditions.

## Transport and Connectivity

- 4.29 Section 4.2 of the Plan covers the theme of Transport and Connectivity within the Plan area and contains three policies (Policies TC1-TC3) which address the topics within this theme.
- 4.30 Policy TC1 (Protect, Promote and Enhance Public Transport) is in two parts and states that the provision of cycle hire facilities and development proposals which enhance existing and/or the creation of new bus routes will be supported. It goes on to state that new developments that are likely to cause a negative impact to the capacity of existing travel options should demonstrate through Transport Impact Assessments how this impact is to be addressed. Both Councils and Transport for London (TfL) have made representations concerning this policy. The Councils' concerns are addressed at SoCG Pages 10 and 11. I take account of the agreement recorded in the SoCG alongside TfL's representations, and I recommend some necessary amendments to the policy text as modification **PM8**.
- 4.31 Policy TC2 (Improve Measures to Reduce Pollution Levels) states that development proposals should make a positive contribution to improving air quality and reducing noise pollution in the Plan area, listing six criteria by which such pollution levels could be reduced as part of development proposals. Both Councils and TfL have made representations concerning this policy, and the Councils' concerns are addressed at SoCG Pages 11 and 12. With regard to TfL's representation that the Plan should identify the 'strategic neighbourhood routes' referenced in criterion 4 of this policy, I had also been unable to identify the routes in question, which are not shown on Figure 8 at page 56 in the draft Plan. I therefore requested, as Question No. 2 (see paragraph 2.8 above) that the Qualifying Body provide me with a suitable map that identifies the 'strategic neighbourhood routes'. The Forum responded to this question on 12 October 2023, stating that the routes are shown on Figure 4 (Spatial Vision for the Lee Forum Area) at page 36 in the Plan and proposed an amendment to the policy text to address that point. I take account of the Forum's response, the agreement recorded in the SoCG and TfL's representations, and I therefore recommend some necessary amendments to the policy text as modification **PM9**.
- 4.32 Policy TC3 (Improve and Encourage Active Travel Options and Road Safety Measures in the Forum Area) states that proposals impacting on the capacity or provision of road infrastructure should demonstrate a positive contribution towards the Mayor of London's Healthy Streets Approach to design, and support improvement to the ten Healthy Street Indicators in line with TfL guidance. The policy goes on to list nine criteria which development proposals should demonstrably take into account.

- 4.33 Both Councils and TfL have made representations concerning this policy, and the Councils' concerns are addressed at SoCG Pages 12 and 13. TfL's representations state that certain criteria within this policy would require the approval of TfL where they affect The Transport for London Road Network (TLRN). I take account of the agreements recorded in the SoCG and TfL's representations alongside my own assessment of the draft policy, and I therefore recommend some necessary amendments to the policy text as modification **PM10**. In particular, I recommend the deletion of policy criterion 4 as I do not consider that this is a matter that is aligned with the principal purpose of the policy to encourage Active Travel.
- 4.34 With recommended modifications PM8-PM10, I consider that the draft Plan's section on Transport and Connectivity and its accompanying policies (Policies TC1-TC3) is in general conformity with the strategic policies of the TLP, RGLP and LLP, has regard to national guidance, would contribute to the achievement of sustainable development and so would meet the Basic Conditions.

### Building Homes and Amenities

- 4.35 Section 4.3 of the Plan addresses the important theme of building new homes and amenities within the Plan area and contains six policies (BHA1-BHA6) and twelve site allocations (SA01-SA12) within the Plan area for proposed residential or mixed-use development. All of the proposed site allocations are within LBL.
- 4.36 Policy BHA1 (Protection, Enhancement and Provision of Community Buildings) is in four parts and seeks to retain key community buildings and assets in the Plan area, which are listed at Table 3 and identified on Figures 9 and 10. It goes on to state at Part B that redevelopment or intensification of sites in existing community use may be permitted subject to the specific criteria set out in both Parts A and B of the policy. Part C of the policy states that developments of 10 residential units or 150 square metres of retail or employment space or more should support the development of new or improved community facilities where there are identified local needs. Part D states that new facilities should be located in or near the local retail and economy hubs and on ground floor level to benefit from footfall and accessibility.
- 4.37 Both Councils and TfL have made representations concerning this policy, and the Councils' concerns are addressed at SoCG Pages 13 and 14. I concur with the agreements recorded therein. As part of my own assessment, I consider that the policy text requires some further amendments to secure the necessary clarity. In particular, I consider that criterion 3 in Part A of the policy potentially covers matters that are outside planning control and therefore goes beyond the scope of a land-use planning policy in a development plan. Recommended modification **PM11** addresses the necessary amendments.

- 4.38 Policy BHA2 (Protection, Enhancement and Provision of Social Infrastructure) is in two parts and states that the Plan identifies its wider social infrastructure provision at Figures 9 and 10 and that new developments will need to demonstrate that there will be no adverse effects on the provision of such infrastructure. Proposals for new development will be asked to address any gaps in provision and to consider including provision of new social infrastructure. Both Councils have raised concerns regarding the content of the policy and the SoCG Page 14 notes that the examiner is asked to determine the soundness of the policy (see also Footnote No. 15).
- 4.39 I take note of the Councils' concerns as part of my own assessment. I consider that, as drafted, the policy is defective in a number of respects, generally because it lacks sufficient clarity for future users of the Plan to be able to determine the potential requirements of the policy in respect of proposals for new development. I therefore recommend modification **PM12** in order to provide greater clarity to the policy's requirements.
- 4.40 Policy BHA3 (Enhancement of Public Realm Facilities) is in four parts and seeks the provision of additional public drinking water and water refill stations, publicly accessible toilets, publicly accessible litter bins and energy saving street lighting.
- 4.41 Both Councils have made representations concerning this policy which are addressed at SoCG Page 16. I take note of the agreement recorded in the SoCG. In my assessment, the policy is too prescriptive regarding the nature of the public realm improvements being sought and omits a more general policy objective to improve the public realm within the Plan area as part of the consideration of development proposals. The provision of specific improvements that are beyond the remit of the local planning authorities, and are matters for other agencies or are permitted development, should not be included as part of the policy. I therefore recommend modification **PM13** to redraft this policy and to provide the necessary clarity.
- 4.42 Policy BHA4 (Housing Delivery) is in two parts and states that residential development of 10 units or more will provide a range of housing sizes and tenures to meet local housing needs and create sustainable communities. It goes on to set out five criteria for establishing an appropriate housing mix within the Plan area. The policy concludes by stating that proposals for community-led and self-build housing will be supported on appropriate sites. Both Councils raised concerns regarding this policy, as drafted, and these are addressed at SoCG Pages 16 and 17. I concur with the agreements recorded therein, including the deletion of policy criterion 4 and the use of revised terminology for affordable housing to accord with Policy 3.10 of TLP. Recommended modification **PM14** addresses the necessary amendments.
- 4.43 Policy BHA5 (Windfall Sites) states that the development of sites which are not allocated for housing will be supported where underused or

disused sites are brought back into active use, design is of a high quality and an appropriate mix of housing typologies is ensured. The concerns of both Councils regarding this policy are addressed at SoCG Page 17. One amendment is agreed, but I also consider that the term 'underused sites' does need greater clarity, and I therefore recommend a further amendment to policy criterion 1 accordingly. Recommended modification **PM15** addresses the necessary amendments.

- 4.44 Policy BHA6 (Design of New Development) states that all new development will be required to be of a high quality and environmentally conscious design and sets out five criteria which should be met as part of new proposals, including the submission of a Health Impact Assessment (HIA) for residential developments of over 10 units. Both Councils made representations regarding this policy, with RBG seeking its deletion from the Plan. The SoCG Page 17 records two agreed amendments. However, in my assessment, the policy requires further amendment in order to be an effective policy for the consideration of proposals for new development. Accordingly, I recommend modification **PM16** to address the necessary revisions to the policy text.

#### Site Allocations SA01-SA12

- 4.45 Section 4.3.6 of the Plan is entitled 'Delivery' and contains 12 proposed site allocations (Refs. SA01-12) for residential or mixed-use development within that part of the Plan area that falls within LBL. Table 4 lists the sites and they are shown on Figure 11. Each of the sites is then more fully described, with details of current use, site area, ownership and proposed form of development, accompanied by an inset plan showing the site boundaries.
- 4.46 The sites were identified initially from the Councils' 'call for sites' and Strategic Housing Land Availability Assessment (SHLAA) data and from local assessments. A total of 37 potential sites were identified initially, of which ten were discounted following site visits. The remaining 27 sites (Refs. L1-L27) were then each fully assessed in 2017 by AECOM, and I have given full consideration to their Site Assessment Final Report (November 2017). The report concludes that of the 27 sites assessed, 14 were considered to have the potential to be given further consideration through conversations with landowners, to include in the draft Plan either through a site allocation and/or development brief policy. I am satisfied that the Site Assessment report demonstrates that the assessment process undertaken was thorough, identifying the constraints affecting the potential development of sites, including policy constraints and, if appropriate, the opportunities for residential development. Upon review of the Site Assessment report in January 2018, the Forum selected eleven of the sites to be taken forward into the draft Plan and added a twelfth site, The Leegate Centre, which has been the subject of redevelopment proposals. I visited each of the sites during the course of my site visit, taking account of the draft Plan's specific proposals and the site assessment work that had been undertaken for each site.

- 4.47 LBL made representations concerning all of the proposed site allocations at the Regulation 16 consultation stage, and their concerns are addressed at Table 2 in the SoCG Pages 26-32.
- 4.48 Upon my initial assessment of the draft Plan and the accompanying SoCG, I raised Question No. 3 (see paragraph 2.7) confirming that I would take into account the SoCG with regard to the housing site allocations contained in the Plan. I noted that they are to be regarded as 'design-led site allocations' and that the SoCG identifies a significant number of proposed amendments to the text of the proposed site allocations (SA01-SA12), including the deletion of Sites SA01 and SA04. In order that I could consider the full extent of the revisions identified in the SoCG and to significantly reduce the number of potential modifications to the Plan, I invited the Qualifying Body to provide me with draft amended content for Section 4.3.6.1, Figure 11, Table 4 and each of the site allocations to be retained in the Plan, which I could consider as a potential consolidated modification to the Plan. I further noted that I would wish to see appropriate text within Section 4.3.6.1 stating that the site allocations are to be design-led, with appropriate references to the relevant design guidance and policies in order to assist users of the Plan in considering development proposals for the sites. The Forum provided a full response to this question on 12 October 2023, including revisions to Table 4 and Figure 11 and fully amended text for Section 4.3.6.1. It also included a request to the examiner to recommend the removal of the deleted sites from Figure 11 and Table 4. These changes, plus the revised content for the remaining site allocations as set out at SoCG pages 26-32, should replace the material presently included within pages 75-104 in the draft Plan.
- 4.49 I have given careful consideration to the Forum's response on all of the matters mentioned above. I have also considered the other representations that have been made concerning this section in the draft Plan. These include a representation to the non-inclusion of a site, known as 'The Huntsman', in RBG as a site allocation for new residential development, a number of significant objections to Site SA01 (which is now proposed for deletion from the Plan), representations by TfL concerning Sites SA07 and SA08 and representations on behalf of the owner of Sites SA09 and SA10 (The Leegate Centre). With regard to the representations concerning Site SA10, I note that the site's owner broadly supports its proposed allocation. However, the representations do raise a significant number of detailed points which do not necessarily align in full with the policy content of SA10. For example, it is stated that the proposed development capacity within the policy could underestimate the site's potential capacity which, for example, is stated to be potentially 563 residential units. I note that the owner's emerging proposals for the site have been the subject of discussions (which was the position at Spring 2022, when these representations were submitted) with LBL, the Greater London Authority and other stakeholders. These discussions have been in the context of a prospective planning application for the comprehensive

redevelopment of The Leegate Centre. The detailed matters raised in the site owner's representations are, in my assessment, very largely matters which can be properly considered as part of the development management process, and any planning application that will also be subject to public consultation within the Lee area. Therefore, having considered all of the representations that have been made concerning the proposed Site Allocations, together with my own assessment of the sites, I do not recommend any significant amendments to the content of the revised text provided by the Forum in its response of 12 October 2023. However, I do recommend an amendment to the policy text of Sites SA07 and SA08 to take account of TfL's representations. Recommended modification **PM17** is a consolidated modification covering all of the necessary amendments to the Site Allocations section of the Plan.

- 4.50 With recommended modifications PM11-PM17, I consider that the draft Plan's section on Building Homes and Amenities and its accompanying policies (Policies BLA-BLA6) and site allocations (to be SA1-SA10) is in general conformity with the strategic policies of the TLP, RGLP and LLP, has regard to national guidance, would contribute to the achievement of sustainable development and so would meet the Basic Conditions.

#### Local Retail, Leisure and Local Economy

- 4.51 Section 4.4 of the Plan covers the theme of local retailing, leisure facilities and the local economy within the Plan area and contains five policies (Policies RLE1-RLE5) which address these topic areas.
- 4.52 Policy RLE1 (Maintain, Improve and Sustain the Diversity, Vitality and Viability of Retail Sites) is in two parts and states, at Part A, that the retail sites within the Lee Forum Area form vibrant hubs of local activity. It goes on to state that proposals which will improve the range of shops and social infrastructure within seven sites, which are identified on Figure 12, will be supported. Five policy criteria are listed which development proposals should take into consideration. Part B of the policy states that changes of use resulting in the loss of socio-cultural, employment and leisure services will be resisted.
- 4.53 Both Councils made representations concerning this policy and these are addressed at SoCG Page 18. I concur with the two matters of agreement recorded in the SoCG. However, I also consider that criterion 4 should not include reference to the Portas Review (2011) which is not a planning policy statement. The recommended amendments to this policy are addressed by proposed modification **PM18**.
- 4.54 Policy RLE2 (Improve Shopfronts and Advertising in Retail Sites) is in two parts and states, at Part A, that shopfronts, including signage and illumination, should complement and enhance the character, proportions, materials and detailing of the wider streetscene and the building of which it forms a part. Part B states that 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 safety.

- 4.55 Both Councils also made representations concerning this policy and these are addressed at SoCG Page 18. I concur with the agreement recorded in the SoCG, and do not consider that any further amendments are necessary to the text of this policy. Recommended modification **PM19** addresses the two amendments set out in the SoCG.
- 4.56 Policy RLE3 (Improve and Enhance the Public Realm of Retail/Cultural Activity Sites) states that developments of 10 residential units or 150 square metres of retail or employment space or more should seek to provide public realm improvements that enhance the vitality of the retail sites. It sets out four criteria that proposed developments could consider, to deliver desirable public realm improvements, with criterion 4 relating specifically to certain parts of the Plan area.
- 4.57 Both Councils made representations concerning this policy and these are addressed at SoCG Pages 18 and 19. I concur with the three matters of agreement recorded in the SoCG, including a revision to the title of the policy, but with one slight amendment to the agreed amendments. Recommended modification **PM20** addresses the necessary amendments.
- 4.58 Policy RLE4 (Protect and Encourage Local Employment Sites) is in four parts and states, at Part A, that proposals for regeneration of retail sites should protect existing businesses and incorporate them wherever possible into new developments, retaining where possible secure units for local business and economic development. Part B states that proposals will be resisted which would prejudice the continuing industrial and commercial use of designated Local Employment Areas as listed in Table 5, unless it can be demonstrated that the existing uses are no longer viable. Part C states that permitted uses will be supported where it can be demonstrated that the local economy will be diversified, enhanced and promoted. Part D states that the change of use of disused lock up garages to Class B1c/B2 uses will be supported where this will not impact upon residential amenity and subject to an appropriate design and layout, parking provision and access arrangements.
- 4.59 Both Councils made representations concerning this policy and these are addressed at SoCG Page 19. I concur with the three matters of agreement recorded in the SoCG. However, I am concerned that Part D of the policy also requires further amendment in order to strengthen this particular aspect of the policy which, as drafted, could lead to some inappropriate developments within largely residential areas. Recommended modification **PM21** addresses the necessary amendments to the policy text.
- 4.60 Policy RLE5 (Revitalise Lee Green District Town Centre) is in two parts and states, at Part A, that proposals will be supported which promote the vitality of Lee Green District Town Centre with a mix of town centre uses

including culture and leisure, and that proposals for intensification must sensitively respect the heritage significance of the town centre. It sets out four criteria which proposals should seek to address. Part B states that a masterplan should be prepared to guide future development in the area demarcated as Lee Green District Town Centre (as shown on Figure 13) so that an integrated approach is adopted to the development of individual sites. It sets out nine planning parameters which should be addressed as part of a masterplan.

- 4.61 Both Councils raise concerns regarding the text of this policy which are addressed at SoCG Pages 19 and 20. A number of amendments to both Parts A and B of the policy are recorded in the SoCG as being agreed, and I concur with all of those that are listed. In particular, I do agree that Part B of the policy should be amended, as this part of the policy, in my assessment, presently sets out planning parameters which should be a part of a more comprehensive brief for a masterplan that takes into consideration the wider surrounding context of the site, including the relevant policies of the TLP and LLP, and those of TfL, rather than as an element of this policy. Recommended modification **PM22** addresses the three agreed amendments set out in the SoCG.
- 4.62 With recommended modifications PM18-PM22, I consider that the draft Plan's section on Local Retail, Leisure and Local Economy and its accompanying policies (Policies RLE1-RLE5) is in general conformity with the strategic policies of the TLP, RGLP and LLP, has regard to national guidance, would contribute to the achievement of sustainable development and so would meet the Basic Conditions.

### Heritage and Design

- 4.63 Section 4.5 of the Plan addresses the theme of Heritage and Design within the Plan area and contains three policies (Policies HD1-HD3).
- 4.64 Policy HD1 (Designation, Conservation and Enhancement of Heritage Assets) states that the Plan seeks to protect, conserve and utilise the significance of the area's designated and non-designated heritage assets in order to maintain the consistent and harmonious character of the neighbourhood. It then sets out seven criteria which should be taken into account by proposals for new development in the Plan area, for example by including a heritage statement where necessary and ensuring that the design of new developments respects, enhances and utilises heritage assets in order that new developments sympathetically integrate into the local character and identity. The policy is supported by a full listing of all nationally designated heritage assets (at Table 6) and Locally Listed Buildings and Assets (at Table 7) within the Plan area, with Figure 14 showing the location of Built Heritage Assets across the Plan area. Both Councils made representations concerning this policy and these are addressed at SoCG Pages 20 and 21. I concur with the two matters of agreement recorded in the SoCG but I also take note of RBG's detailed comments regarding Figure 14 and the definition of Non-designated

Heritage Assets (which the Forum consider to be Locally Listed Assets) in the Plan. Greater clarification on this point is needed in the Plan ahead of Table 7, with an appropriate entry in the Glossary, as at present the policy text is somewhat misleading. Recommended modification **PM23** addresses these necessary amendments.

- 4.65 Policy HD2 (Design and Scale of New Development) is in three parts and states that all new development will be required to complement, enhance or positively contribute to local character and identity (Part A), that positive contributions to the local character may also be seen to include proposals for appropriate, complementary, contemporary interventions (Part B) and design should demonstrate a connection to human needs and requirements of all people (Part C). Both Councils made representations concerning this policy and these are addressed at SoCG Pages 21 and 22. I concur with the four matters of agreement recorded in the SoCG. In my assessment, although the policy is rather lengthy, I recognise that it is the principal policy in the Plan regarding both the design and scale of new development. There are two small errors<sup>16</sup> in the policy text, which are additional to the matters recorded in the SoCG, and recommended modification **PM24** addresses the necessary corrections.
- 4.66 Policy HD3 (Extensions, Alterations and New Buildings) is in two parts and states that development proposals for alterations and extensions to existing residential and commercial properties and new buildings, including lofts, side and roof extensions, should be of a high, site-specific, and sensitive design quality (Part A) and that regard is had to the detailed Design Guide within the Plan (Part B). Both Councils made representations concerning this policy and these are addressed at SoCG Pages 22 and 23. The SoCG records matters of agreement to Part A of the policy. In my assessment, the policy requires more substantive amendments than those set out in the SoCG, in order to ensure that its requirements are made clearer for users of the Plan. These amendments are addressed by recommended modification **PM25**.
- 4.67 With recommended modifications PM23-PM25, I consider that the draft Plan's section on Heritage and Design and its accompanying policies (Policies HD1-HD3) is in general conformity with the strategic policies of the TLP, RGLP and LLP, has regard to national guidance, would contribute to the achievement of sustainable development and so would meet the Basic Conditions.

### Area Design Guidance

- 4.68 Section Five of the Plan contains locally specific design guidance for seven parts of the Plan area, namely Belmont Park, Lee High Road, Lee Green District Town Centre, Manor Park, South Lee, East Lee and North East Lee, as defined on Figure 15. The preparation of this guidance draws

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<sup>16</sup> Modifications for the purpose of correcting errors is provided for in Paragraph 10(3)(e) of Schedule 4B to the 1990 Act.

on several sources, including the Heritage and Character Assessment (2017) (AECOM), the Lee Green District Centre Design Guides (2019) (AECOM) and the Councils' Supplementary Planning Documents. For each of the seven areas, the dominant features and materials, the problems and pressures arising from development and the opportunities for building design and associated environmental enhancements are described in detail.

- 4.69 I visited each of the seven areas during the course of my site visit and, whilst not undertaking a detailed review of all the features of the built environment within those areas, I am satisfied that the general principles of the design guidance for each area are relevant and appropriate. Whilst this section of the Plan adds considerably to the length of the document, and could form a separate accompanying Design Guidance document, I have concluded that it is likely to be a part of the Plan that is most used and referenced by its future users. As it contains no specific policies on design and only comprises detailed guidance based on supporting studies and assessments, I do not recommend any modifications to this section of the Plan. However, I note that the SoCG Page 22 records that the Councils and the Forum agree that Section Five be moved to an Appendix in the Plan. I do not view that as a necessity and will leave this as a matter for the Councils and the Forum to consider in light of this report.

#### Lee Forum Priority Projects

- 4.70 Section Six of the Plan contains details of the LNF's priority projects for environmental and community-based improvements within the Plan area. These are the River Quaggy Trail, the Hither Green Nature Trail, the Osborne Terrace Pocket Park, Public Realm and Active Travel Improvements, Community Facilities and Centres, The New Tiger's Head, Lee Green District Town Centre – Detailed Area Strategy/Masterplanning and Revitalisation and Improved Access to Playing Fields. Certain of these projects are the subject of specific policies within the Plan, such as the River Quaggy Trail and the Hither Green Nature Trail and they form part of my main assessment set out above. For those projects that are not the subject of policies within the Plan, I am satisfied that they all constitute aspirations of the LNF, in line with the Plan's Spatial Vision and Spatial Principles, for implementation, together with key stakeholders and partners, during the Plan period. I therefore do not make any further comments on those projects, as described within this section of the Plan, as they are the subject of proposed land-use planning policies.<sup>17</sup>

#### Delivery

- 4.71 Section Seven of the Plan is entitled 'Delivery' and sets out a Delivery Strategy which includes a monitoring framework (at Table 8) for every policy in the Plan, identifying key delivery partners and mechanisms, and measurable targets. Paragraph 7.4 is a short section on the Review of the

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<sup>17</sup> See PPG Reference ID: 41-004-20190509.

Plan. I consider it needs to make a clearer statement that, if necessary, the Plan will be reviewed in light of any relevant changes in national policies and the emerging new Local Plans for RBG and LBL, and this is addressed by recommended modification **PM26**.

## Other Matters

- 4.72 Upon my initial assessment of the Plan, I noted that the draft Plan states at paragraph 1.2, that the Plan "*... will help to create a cohesive, healthy and sustainable environment ...*". However, as drafted, I considered that the Plan does not presently contain a sufficiently clear statement which addresses the national requirement to contribute to the achievement of sustainable development, as it applies to the Plan area. I therefore invited the Qualifying Body, as Question No. 4, to consider providing some suitable text in order to address this point for inclusion in Section 3 of the Plan (possibly as an extension of paragraph 3.2) which I may consider as a potential modification to the Plan. The Forum's response dated 12 October 2023 includes four paragraphs of draft text for insertion at the end of sub-section 3.2. I consider that this additional text is appropriate and addresses my initial concern. I therefore recommend its inclusion as proposed modification **PM27**.
- 4.73 The Plan contains five Annexes. Annex One contains Shop Front Design Guidance, which should be read alongside the Lewisham Shop Front Design Code SPD (2006) and the Greenwich Design Guidance for Shop Fronts SPD (2005). Annex Two is the Lee Forum Area Profile and History. Annex Three describes how the Lee Forum Area relates to the wider area and to the current Local Plans covering the area. Annex Four is a listing of the key evidence reports that have informed the preparation of the Plan. Annex Five is a Glossary of planning terms and acronyms used within the Plan. I do not recommend any modifications to the content of these Annexes, apart from the need to check and update the Glossary for its current accuracy, e.g. DCLG is now DLUHC (Department for Levelling Up, Housing and Communities) and SER is 'Southeastern Railway'. The SoCG also contains some references to the Glossary, for example re. Policies TC3 and BHA1, and the Plan's supporting text may need further cross-references to the Glossary.
- 4.74 As an advisory comment, when the Plan is being redrafted to take account of the recommended modifications in this report, it should be re-checked for any typographical errors and any other consequential changes, etc. Minor amendments to the text and numbering (sections, paragraphs etc.) can be made consequential to the recommended modifications, alongside any other minor non-material changes or updates, in agreement between the Forum and the Councils.<sup>18</sup> Certain minor cartographical amendments are also necessary, including matters relating to Figures 7, 8, 13 and 23 that have been pointed out to me by the Forum.

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<sup>18</sup> PPG Reference ID: 41-106-20190509.

## Concluding Remarks

- 4.75 I conclude that, with the recommended modifications to the Plan as summarised above and set out in full in the accompanying Appendix 1, the Lee Neighbourhood Development Plan 2021-2031 meets the Basic Conditions for neighbourhood plans.

## 5. Conclusions

### Summary

- 5.1 The Lee Neighbourhood Development Plan 2021-2031 has been duly prepared in compliance with the procedural requirements. My examination has investigated whether the Plan meets the Basic Conditions and other legal requirements for neighbourhood plans. I have had regard to all the responses made following consultation on the Plan, and the supporting documents submitted with the Plan together with the Forum and the Councils' responses to my questions.
- 5.2 I have made recommendations to modify certain policies and other matters to ensure that the Plan meets the Basic Conditions and other legal requirements. I recommend that the Plan, once modified, proceeds to referendum.

### The Referendum and its Area

- 5.3 I have considered whether or not the referendum area should be extended beyond the designated area to which the Plan relates. I conclude that the Lee Neighbourhood Development Plan 2021-2031, as modified, has no policy or proposal which I consider to be significant enough to have an impact beyond the designated Neighbourhood Development Plan boundary, requiring the referendum to extend to areas beyond that boundary. I therefore recommend that the boundary for the purposes of any future referendum on the Plan, should be the boundary of the designated Neighbourhood Area.

### Overview

- 5.4 It is clear that the Lee Neighbourhood Development Plan 2021-2031 is the product of much hard work undertaken since 2016 by the Lee Neighbourhood Forum and the many individuals and stakeholders who have contributed to the preparation and development of the Plan. In my assessment, the Plan reflects the land use aspirations and objectives of the Lee community for the future planning of their area up to 2031. The output is a Plan which should help guide the area's development over that period, making a positive contribution to informing decision-making on planning applications by the Royal Borough of Greenwich and the London Borough of Lewisham.

*Derek Stebbing*

Examiner

## Appendix 1: Modifications

<b>Proposed modification number (PM)</b>	<b>Page no./ other reference</b>	<b>Modification</b>
PM1	Front Cover	Add the Plan period " <b>2021-2031</b> " to the Front Cover.
PM2	Pages 40-43, 45	<p><u>Table 2 (Green Space Designations), Figure 5 (Green Spaces in Lee Forum Area) and Policy GB1 – Protection and Enhancement of Green Spaces</u></p> <p>Amend Table 2 (columns 1-5) to take account of revisions contained in the Councils' joint response (at Table 1).</p> <p>Delete Site No. 9 from Table 2 and from Figure 5, and re-number Site Nos. 10-23 to become <b>Site Nos. 9-22</b> in Table 2 and Figure 5.</p> <p>Amend policy text, including the deletion of Part A of the Policy text, to conform to the agreed revisions set out at SoCG Page 7.</p>
PM3	Page 46	<p><u>Policy GB2 – Achieving a Green Infrastructure-led Approach</u></p> <p>Amend policy text to conform to the two agreed amendments set out at SoCG Page 7.</p> <p>Add new criterion No. 8 to read as follows:</p> <p><b>"Where necessary, secure Biodiversity Net Gain in accordance with national and local policy requirements. The calculation of Biodiversity Net Gain should be based on the Government's latest biodiversity metric tools, which include a specific metric for smaller development sites."</b></p>
PM4	Pages 47 and 51	<p><u>Policy GB3 – Designation of Nature Improvement Areas: River Quaggy Trail and Hither Green Nature Trail</u></p> <p>Delete existing policy text in full and replace with:</p> <p><b>"Policy GB3 – Delivering the Proposed Nature Trails</b></p>

		<p><b>The Plan proposes the creation of two Nature Trails, the River Quaggy Trail and the Hither Green Nature Trail Link, as shown on Figure 7, in order to enhance the green infrastructure and ecological networks and to provide new opportunities for walking and cycling within the Plan area. Detailed proposals for the proposed Nature Trails, including their delivery, will be developed by the Lee Neighbourhood Forum in partnership with all relevant stakeholders, including the Royal Borough of Greenwich, the London Borough of Lewisham, the Environment Agency and the Quaggy Waterways Action Group.</b></p> <p><b>Development proposals within the areas adjacent to the proposed Nature Trails should contribute positively to the improvements and enhancements being sought as part of the Nature Trail proposals and be in accordance with the requirements of Policy GB2."</b></p> <p>Delete all references to 'Nature Improvement Areas' within the Plan.</p> <p>Figure 7 – to be re-titled "<b>Proposed Nature Trails</b>" and delete Nature Improvement Area notations.</p>
PM5	Page 48	<p><u>Policy GB4 – Protection and Increase of Tree Cover</u></p> <p>Delete existing policy text in full and replace with:</p> <p><b>"Policy GB4 – Protection of Trees and Hedgerows</b></p> <p><b>Development proposals within the Plan area will be supported where they demonstrate that full account has been taken of any existing trees and hedgerows that are within the development site, and that the layout, siting and design of new development includes the retention, as far as can be achieved, of existing trees and hedgerows as part of the landscaping scheme for the proposed development. Where necessary, planning applications should also include an arboricultural impact assessment.</b></p> <p><b>Proposals will also be supported where opportunities to plant new or replacement</b></p>

		<b>trees and hedgerows are identified and incorporated as part of development proposals and their accompanying landscaping schemes."</b>
PM6	Page 49	<p><u>Policy GB5 – Managing Flood Risk</u></p> <p>Amend policy text to conform to the agreed amendments set out at SoCG Pages 9 and 10.</p> <p>Amend the words "at flood risk 2 or 3 in Figure 6" in Part A of the policy text to read "<b>within Flood Zones 2 or 3 as shown on Figure 6</b></p>
PM7	Page 49	<p><u>Policy GB6 – Protection and Enhancement of Lee's Playing Fields</u></p> <p>Delete this proposed policy and any references to it elsewhere in the Plan, e.g. at Page 9.</p>
PM8	Page 58	<p><u>Policy TC1– Protect, Promote and Enhance Public Transport</u></p> <p>Amend policy text to conform to the two agreed amendments concerning Parts A and B as set out at SoCG Page 10, ensuring that specific bus services (which are the responsibility of TfL and not a planning matter) are not listed.</p> <p><u>Part A</u></p> <p>Add new first sentence of policy text to read as follows:</p> <p><b>"New developments should seek to include measures that will improve access to public transport facilities and enhance walking and cycling routes in the Plan area."</b></p> <p><u>Part B</u></p> <p>Replace the words "Transport Impact Assessments" with "<b>Transport Assessments prepared in line with Transport for London guidance, including an Active Travel Zone assessment,</b>".</p>
PM9	Pages 58 and 59	<p><u>Policy TC2 – Improvement Measures to Reduce Pollution Levels</u></p> <p>Amend policy text to conform to the two agreed amendments set out at SoCG Page 11.</p> <p>Amend policy criterion 4 by deleting the words "as being strategic neighbourhood routes" and replace</p>

		<p>with: <b>“on Figure 4 in this Plan as strategic neighbourhood routes”</b>.</p> <p>Add new policy criterion 7 to read as follows:</p> <p><b>“7. Car parking and cycle parking for new development should be provided in accordance with Policies T6 and T5 respectively in The London Plan (2021) and its accompanying guidance.”</b></p>
PM10	Page 59	<p><u>Policy TC3 – Improve and Encourage Active Travel Options and Road Safety Measures in the Forum Area</u></p> <p>Amend policy text to conform to the agreed amendments set out at SoCG Page 12, including correcting the error in the policy Index.</p> <p>Delete policy criterion 4 and replace with <b>“All proposals for improvements affecting The Transport for London Road Network (TLRN) will require the approval of Transport for London (TfL) and should be the subject of engagement and consultation with TfL at an early stage.”</b></p>
PM11	Page 70	<p><u>Policy BHA1 – Protection, Enhancement and Provision of Community Buildings</u></p> <p>Amend policy text to conform to the agreed amendments to Parts A, C and D of the policy text as set out at SoCG Page 13, also taking note of LBL’s comment regarding ‘local retail and economy hubs’ concerning Part D.</p> <p><u>Part A</u> – delete the word “ALL” in the 3<sup>rd</sup> line of text and delete criterion 3.</p> <p><u>Part B</u> – replace the word “permitted” with <b>“supported”</b>.</p> <p><u>Part B</u> – replace “500m” with <b>“500 metres”</b>.</p> <p>(Note – this amendment should also be applied to all other entries in the Plan where the word “metres” is abbreviated to “m”, e.g. at Policy HD2 Part A.)</p>
PM12	Page 71	<p><u>Policy BHA2 – Protection, Enhancement and Provision of Social Infrastructure</u></p> <p>Delete existing policy text in full and replace with:</p>

		<p><b>“Proposals for major new development in the Plan area, as defined in the Glossary, will be assessed in terms of their potential impacts upon the existing provision of supporting social infrastructure, as shown on Figures 9 and 10. Where such development is assessed as requiring new or enhanced social infrastructure in order to support the needs generated by that new development, the Lee Forum will seek the provision and delivery of that infrastructure as part of any planning permissions granted, through Section 106 agreements, the Community Infrastructure Levy or other appropriate delivery mechanisms.”</b></p>
PM13	Page 71	<p><u>Policy BHA3 – Enhancement of Public Realm Facilities</u></p> <p>Delete existing policy text in full and replace with:</p> <p><b>“Proposals for public realm improvements and enhancements in the Plan area will be supported.</b></p> <p><b>Proposals for major new developments, as defined in the Glossary, will be expected to contribute towards securing appropriate public realm improvements within the vicinity of development sites, in accordance with the objectives of this Plan and those of the Royal Borough of Greenwich and the London Borough of Lewisham, to enhance the quality of the built environment.”</b></p>
PM14	Page 72	<p><u>Policy BHA4 – Housing Delivery</u></p> <p>Amend policy text to conform to the agreed amendments to Part A of the policy text as set out at SoCG Page 16 also taking particular note of RBG’s comments regarding criterion 1.</p>
PM15	Page 73	<p><u>Policy BHA5 – Windfall Sites</u></p> <p>Amend policy text to conform to the agreed amendment to the policy text as set out at SoCG Page 17.</p> <p>Delete the text of criterion 1 in full, and replace with:</p> <p><b>“1. Sites which are vacant or underused and suitable for residential development or mixed-</b></p>

		<b>use development can be brought back into active use."</b>
PM16	Page 73	<p><u>Policy BHA6 – Design of New Development</u></p> <p>Delete first line of policy text and replace with:</p> <p><b>"Proposals for new development in the Plan area should seek to achieve high standards of design and sustainability, both to new buildings and to external areas within the development site.</b></p> <p><b>Proposals should demonstrate that they:"</b></p> <p><u>Criterion 1</u> – delete text in full and replace with:</p> <p><b>"1. Provide a satisfactory environment throughout the development for the health and wellbeing of residents, employees and visitors."</b></p> <p><u>Criterion 2</u> – delete the words "water course" and replace with "<b>watercourse</b>".</p> <p><u>Criterion 3</u> – delete the word "draft".</p>
PM17	Pages 75-104	<p><u>Section 4.3.6 – Delivery</u></p> <p>4.3.6.1 – Site Allocations</p> <p>Delete all current text and content (including Table 4 and Figure 11) on Pages 75-77 and replace with the revised text, Table 4 and Figure 11 contained in the Forum's response to the examiner dated 12 October 2023 and to reflect the content of the SoCG Pages 26-32.</p> <p>Delete Sites SA01 and SA04 (including photographs of the sites) where referenced in the Plan.</p> <p><u>Site SA07 (Sainsbury's 14. Burnt Ash Road, SE12 8PZ)</u></p> <p>Add new policy criterion xi. to read as follows:</p> <p><b>"xi. Development proposals for this site will need to demonstrate that they will not have a detrimental effect on the safety and function of The London Road Network (TLRN)."</b></p> <p><u>Site SA08 (321-341 Lee High Road, SE12 8RU)</u></p> <p>Add new policy criterion ix. to read as follows:</p>

		<p><b>"ix. Development proposals for this site will need to demonstrate that they will not have a detrimental effect on the safety and function of The London Road Network (TLRN)."</b></p> <p>Re-number Sites SA02/SA03/SA05-SA12 to be <b>SA01-SA10.</b></p>
PM18	Page 112	<p><u>Policy RLE1 – Maintain, Improve and Sustain the Diversity, Vitality and Viability of Retail Sites</u></p> <p>Amend policy text to conform to the two agreed amendments to the policy text as set out at SoCG Page 18.</p> <p>Criterion 4 – delete the text that follows the word "entertainment".</p>
PM19	Page 112	<p><u>Policy RLE2 – Improve Shopfronts and Advertising in Retail Sites</u></p> <p>Amend policy text to conform to the agreed two amendments to the policy text as set out at SoCG Page 18.</p>
PM20	Page 113	<p><u>Policy RLE3 – Improve and Enhance the Public Realm of Retail/Cultural Activity Sites</u></p> <p>Amend policy text to conform to the three agreed amendments to the policy text and title as set out at SoCG Pages 18 and 19 but amend the words "found in fig. 12" to read "<b>shown on Figure 12</b>".</p>
PM21	Page 113	<p><u>Policy RLE4 – Protect and Encourage Local Employment Sites</u></p> <p>Amend policy text to conform to the agreed amendments to the policy text as set out at SoCG Page 19.</p> <p><u>Part D</u></p> <p>Delete existing text in full, and replace with:</p> <p><b>"Proposals for the change of use of disused lock up garages to Class E(g) uses will be supported where it can be clearly demonstrated that there will be no adverse impacts upon residential amenities arising from the use of the premises, as a result of traffic generation and parking, including the movement of Heavy Goods Vehicles, noise, smell and other disturbance."</b></p>

PM22	Page 114	<p><u>Policy RLE5 – Revitalise Lee Green District Town Centre</u></p> <p>Amend policy text to conform to the agreed amendments to the policy text as set out at SoCG Pages 19 and 20.</p>
PM23	Pages 126 and 128	<p><u>Policy HD1 – Designation, Conservation and Enhancement of Heritage Assets</u></p> <p>Amend policy text to conform to the two agreed amendments to the policy text as set out at SoCG Page 20.</p> <p>Amend Figure 14 to take account of LBL’s comments in the SoCG Page 20, including the deletion of the four Proposed Conservation Areas shown on that map, but retain the material set out in Section 4.6.5 of the Plan (Pages 131-135 inclusive).</p> <p>Insert text within the Plan, ahead of Table 7 to clarify the current status of the entries listed in that Table.</p>
PM24	Page 129	<p><u>Policy HD2 – Design and Scale of New Development</u></p> <p>Amend policy text to conform to the agreed amendments to the policy text as set out at SoCG Page 21.</p> <p>Part B – 1<sup>st</sup> line of text – amend “complimentary” to read “<b>complementary</b>”.</p> <p>Part C – Criterion 3 – 1<sup>st</sup> line of text – amend “suite” to read “<b>suit</b>”.</p>
PM25	Page 130	<p><u>Policy HD3 – Extensions, Alterations and New Buildings</u></p> <p>Delete the division of the policy into Parts A and B.</p> <p>Delete 1<sup>st</sup> sentence of policy text, and replace with:</p> <p><b>“All proposals for extensions and alterations to existing buildings and all proposals for new buildings in the Plan area should be designed to a high quality that, where appropriate, seeks to complement the form, setting and the architectural character, context and detailing of the original building and its surroundings. Proposals should also take account of the relevant Area Design Guidance contained in</b></p>

		<p><b>Section Five of this Plan and should satisfy the following design criteria:</b></p> <p>Criterion 1 – delete the words “which is in” and replace with “<b>are generally in</b>”.</p> <p>Criterion 3 – insert the words “<b>Applicants are encouraged to consider whether</b>” ahead of the existing text and replace the word “are” in the second line of text with “<b>could be</b>”.</p> <p>Delete Part B of the policy text in full.</p>
PM26	Page 222	<p><u>Section Seven – Delivery</u></p> <p>Paragraph 7.4 – Review</p> <p>Delete existing text in full, and replace with:</p> <p><b>“The Plan will be reviewed should the emerging new Greenwich and Lewisham Local Plans, covering the period up to and beyond 2031, contain policies and proposals that necessitate such a review, in order that the Plan remains in conformity with the relevant strategic policies of the new Local Plans. Similarly, the Plan will be reviewed should any changes in national policies necessitate revisions to the Plan’s policies.”</b></p>
PM27	Page 33	<p><u>Spatial Principles</u></p> <p>Insert the four paragraphs of additional text contained in the Forum’s response dated 12 October 2023 to Question No. 4, to follow the three Spatial Principles that are set out on page 33.</p>

## Appendix 2: Statement of Common Ground

Attached as a separate pdf file.