

# Southwark Council Response to Levelling-up and Regeneration Bill: Reforms to National Planning Policy

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What is your organisation?

Organisation: London Borough of Southwark

What type of organisation are you representing?

Local authority

## Chapter 3

1. Do you agree that local planning authorities should not have to continually demonstrate a deliverable five year housing land supply (5YHLS) as long as the housing requirement set out in its strategic policies is less than five years old?

Yes

Please set out the reasons for your answer:

Southwark are in principle supportive of the removal of the requirements to demonstrate a continuous 5 housing year land supply where there is an up-to-date local plan. Further clarity is needed on how a partial review of the plan would affect the Housing Delivery Test requirements for a Local Authority.

2. Do you agree that buffers should not be required as part of 5YHLS calculations (this includes the 20% buffer as applied by the Housing Delivery Test)?

Yes

Please set out the reasons for your answer:

Southwark agrees that the buffers currently required as part of a 5 Year Housing Land supply calculation should be removed.

3. Should an oversupply of homes early in a plan period be taken into consideration when calculating a 5YHLS later on?

Yes

Please set out the reasons for your answer:

Southwark is supportive of the amendments which will allow oversupply early in the plan period to be taken into consideration. Further comments are set out in Q4.

Or is there an alternative approach that is preferable?:

4. What should any planning guidance dealing with oversupply and undersupply say?

Answer: Guidance on the oversupply and undersupply of land should allow some flexibility for economic conditions and local circumstances to be taken into account. This would allow reconciliation between needs, growth, targets and the objective assessment of available land

supply. Greater clarity should be provided on the definition of undersupply and oversupply to demonstrate housing targets, need and delivery.

5. Do you have any views about the potential changes to paragraph 14 of the existing Framework and increasing the protection given to neighbourhood plans?

Answer: Neighbourhood plans are a useful tool within the statutory planning process, allowing local communities to shape their communities. Southwark's main concern with the proposed amendment is that this additional weight afforded to neighbourhood plans may disproportionately affect different areas of Southwark, should the presumption in favour of sustainable development apply. A neighbourhood priorities statement would be useful to ensure key priorities for our neighbourhoods can be communicated more quickly than the formal neighbourhood planning process, which can be complex. However, further clarity on the weight on this statement, the level of assessment by local authority and independent examiner would be required. The mechanism for a neighbourhood priorities statement would work well alongside our initiative to prepare Area Characterisation Studies which enable neighbourhoods to contribute to local character studies and influence development in their area.

#### Chapter 4

6. Do you agree that the opening chapters of the Framework should be revised to be clearer about the importance of planning for the homes and other development our communities need?

Yes

Please set out the reasons for your answer:

A clear focus in the opening chapters of the NPPF on meeting housing need, and the developments requirements of communities, is welcomed. However, the housing land supply position will still need to be monitored for plan performance purposes. Removing the need to demonstrate a '5 year land supply position' does not remove appellants' ability to question the scale and type of housing supply.

However, as an urban authority, the proposed changes mean that Southwark will need to accommodate an additional 35% housing uplift over and above existing housing targets. Southwark is a densely populated inner London borough, with competing land pressure for the provision of housing and essential infrastructure, including the provision of open space. Housing delivery must occur in line with the provision of community infrastructure and open space, and not through a blanket uplift in housing numbers which is at the expense of infrastructure and greening which creates balanced, healthy communities. Southwark's view is also that, if urban areas are expected to accommodate an additional uplift in housing at the expense of provision in the rural and greenbelt authorities, greater funding should be provided for social, transport and community-level infrastructure and services. It is also unfair to expect urban authorities to shoulder an additional 35% housing within their local authority boundary without a similar expectation for measured and proactive delivery within rural and greenbelt authorities

7. What are your views on the implications these changes may have on plan making and housing supply?

Answer:

Southwark's housing need is established in the London Plan as part of the London single housing market area. Southwark has an up-to-date Local Plan which is informed by a Strategic

Housing Land Availability Assessment. Further clarity is required to demonstrate the cumulative changes proposed in order to ascertain the implications for housing supply. Although it is acknowledged that housing requirements may not be met without exceeding appropriate densities, the justification of housing need through the use of design codes is likely to be a resource intensive exercise which will not necessarily lead to simplified plan making.

8. Do you agree that policy and guidance should be clearer on what may constitute an exceptional circumstance for the use of an alternative approach for assessing local housing needs?

Not Answered

Please set out the reasons for your answer:

Southwark is supportive of greater clarity on what may constitute an exceptional circumstance when assessing local housing need. It is unclear whether this would relate to the needs of different communities, as expressed in proposed paragraph 63. We are however concerned that the provision of specific definitions for exceptional circumstances may remove local justification.

Are there other issues we should consider alongside those set out above?:

Not Answered

9. Do you agree that national policy should make clear that Green Belt does not need to be reviewed or altered when making plans, that building at densities significantly out-of-character with an existing area may be considered in assessing whether housing need can be met, and that past over-supply may be taken into account?

Yes

Please set out the reasons for your answer:

Southwark has no comment on the green belt.

We agree the ability to meet housing need should be informed by local character and that over-supply should be taken into account.

10. Do you have views on what evidence local planning authorities should be expected to provide when making the case that need could only be met by building at densities significantly out-of-character with the existing area?

Please set out the reasons for your answer:

In Southwark's case, due to its diversity in built form, any assessment of density will depend on careful site-by-site (or area by area) assessment. Under the proposed changes, it appears the Council would be required to produce design codes to provide the evidence to inform housing requirements, which would require considerable resource. Proposed footnote 8 should be revised to state 'additional guidance including any design codes' to account for areas without a formal design code, and where design considerations are set out within the development plan policies.

11. Do you agree with removing the explicit requirement for plans to be 'justified', on the basis of delivering a more proportionate approach to examination?

No

Please set out the reasons for your answer:

Southwark is supportive of the principle of quicker and simplified plan-making and a proportionate approach to examination with evidence commensurate with the complexity of the local issue. Nevertheless, Southwark is concerned that significant evidence will continue to be required, particularly around justification of housing need and the requirement to demonstrate the deliverability of the plan as a whole. This may be addressed by a definition of 'proportionate justification' in the revised NPPF.

. Do you agree with our proposal to not apply revised tests of soundness to plans at more advanced stages of preparation?

Yes

Please set out the reasons for your answer:

Southwark agree that plans which area at an advanced stage should be subject to the existing test of soundness. The specific stage this relates to should be made clear.

If no, which if any, plans should the revised tests apply to?:

13. Do you agree that we should make a change to the Framework on the application of the urban uplift?

No

Please set out the reasons for your answer:

At present, the proposals to change the application of the 'urban uplift' is too broad to provide detailed comments. Southwark's housing targets have been robustly tested at examination. Further clarity is needed to define how individual boroughs will be required to accommodate further growth, and whether the regional policy will play a role in redistributing an uplift. Assessing and accommodating a 35% housing uplift should be based on capacity, with an assessment of appropriate densities which reflect the varying character across an area, as well as existing and proposed infrastructure, the availability of brownfield land and development sites, and future investment.

14. What, if any, additional policy or guidance could the department provide which could help support authorities plan for more homes in urban areas where the uplift applies?

Please set out the reasons for your answer:

Subject to comments made above, for authorities like Southwark where the urban uplift would apply, it should be made clear that the uplift must be met within each local authority boundary. Southwark is a central London Borough characterised by diversity in its urban form and functions. It should be made clear what the uplift seek to address, and whether it is a blanket uplift or a targeted approach in urban zones. Further clarity is required on whether this would apply to the whole borough and what sequential tests would be used, if any.

15. How, if at all, should neighbouring authorities consider the urban uplift applying, where part of those neighbouring authorities also functions as part of the wider economic, transport or housing market for the core town/city?

Please set out the reasons for your answer:

As per the previous question, additionally imposed by an urban uplift should be accommodated entirely within each Local Authority boundary. There may be instances of cross borough initiatives following either a transport or wider economic/housing zones with overarching spatial planning ambitions. Southwark's areas of growth are covered by detailed and strategic policies and should not be expected to absorb the additional uplift of adjoining boroughs. A non-technical sequential test so the largest growth is located in the most well-connected places, could assist to redirect growth in accordance with sustainable development principles.

16. Do you agree with the proposed four-year rolling land supply requirement for emerging plans, where work is needed to revise the plan to take account of revised national policy on addressing constraints and reflecting any past over-supply?

Yes

Please set out the reasons for your answer:

Southwark supports the proposal for a 4-year rolling land supply requirement for emerging local plans. As above, over supply would need to be defined.

If no, what approach should be taken, if any?:

17 Do you consider that the additional guidance on constraints should apply to plans continuing to be prepared under the transitional arrangements set out in the existing Framework paragraph 220?

Indifferent

Please set out the reasons for your answer:

Southwark have a recently adopted and up to date local plan. Transitional arrangements are therefore not directly of concern.

18. Do you support adding an additional permissions-based test that will 'switch off' the application of the presumption in favour of sustainable development where an authority can demonstrate sufficient permissions to meet its housing requirement?

Yes

Please set out the reasons for your answer:

Southwark has previously recommended that the number of homes granted planning permission should be used as the correct measure for the performance of local authorities. A permission-based test is supported to ensure that local authorities with a high level of housing approvals, such as Southwark, are not unduly prejudiced by under- delivery that is not within their control.

19. Do you consider that the 115% 'switch-off' figure (required to turn off the presumption in favour of sustainable development Housing Delivery Test consequence) is appropriate?

Yes

Please set out the reasons for your answer:

The plan-led system should not be undermined where local authorities have exceeded their targets, and have a substantial number of units within the development pipeline with planning permission. The permission-based test is supported, although Southwark contends that this figure should be when approvals >100% of its targets.

20. Do you have views on a robust method for counting deliverable homes permissioned for these purposes?

Please set out the reasons for your answer:

The Council continually monitors homes consented and within the development pipeline internally, and provides those figures to the Greater London Authority. London-wide data is available through the GLA datahub which Southwark reports into. It contains detailed information, including a breakdown of units within schemes that have been granted planning permission. This is in addition to robust in-house monitoring systems.

21. What are your views on the right approach to applying Housing Delivery Test consequences pending the 2022 results?

Please set out the reasons for your answer:

Southwark has a recently adopted Local Plan and an up to date Five and Fifteen year Land Supply which shows that Southwark's projected growth trajectory would meet and exceed our current targets. Southwark also has consistently high housing approval rates. The consequences of this year's housing delivery would significantly undermine the plan led system. Southwark's view is that, of the three options, Option 3 "frozen to reflect the 2021 Housing Delivery Test results while work continues on our proposals to improve it" would be the most appropriate.

## Chapter 5

22. Do you agree that the government should revise national planning policy to attach more weight to Social Rent in planning policies and decisions?

No

Please set out the reasons for your answer:

Social rented housing is a key priority for the Borough. It is robustly reflected in our local plan policies and based on our assessment of local circumstances. Southwark considers this to be the most effective way of ensuring that local needs are met.

If yes, do you have any specific suggestions on the best mechanisms for doing this?:

23. Do you agree that we should amend existing paragraph 62 of the Framework to support the supply of specialist older people's housing?

Indifferent

Please set out the reasons for your answer:

There is no objection to the inclusion of '(including retirement housing, housing with and care and care homes)' to meet the requirements of those who may not be able to remain in their own homes. Southwark's policy P8 goes further in recognising the need for affordable specialist accommodation for older people, which reflects the needs of the borough.

24. Do you have views on the effectiveness of the existing small sites policy in the National Planning Policy Framework (set out in paragraph 69 of the existing Framework)?

Answer:

Small sites play a significant role in the delivery of housing in Southwark. The measures set out in the existing policy, such as enabling development by having a specific small sites policy in the Local Plan, are measures which Southwark currently has in place. However, in a densely urban borough such as Southwark, many small sites come forward as windfall sites over the Plan period. The existing NPPF policy does not acknowledge the complexity of delivering small sites in urban locations, where there may be numerous issues such as constrained access, contamination, design complexities and multiple land ownerships. It also does not acknowledge the important role of small sites in helping to deliver, subject to viability, affordable housing through payment in lieu contributions.

25. How, if at all, do you think the policy could be strengthened to encourage greater use of small sites, especially those that will deliver high levels of affordable housing?

Answer:

To encourage the use of small sites, the NPPF should acknowledge the complexity of delivery on small sites in certain locations and encourage a holistic approach to bringing these sites forward for affordable housing. For example, the alignment with grant funding regimes which recognise the anomalies and additional costs which may be incurred on small sites and encouraging a creative and innovative approach to securing delivery.

26. Should the definition of “affordable housing for rent” in the Framework glossary be amended to make it easier for organisations that are not Registered Providers – in particular, community-led developers and almshouses – to develop new affordable homes?

No

Please set out the reasons for your answer:

This amendment would not be supported without further clarity. Southwark’s view is that a regulatory body should still manage the process of administering the rent of affordable housing products, including those that may be delivered by community-led developers and community associations. This ensures that the necessary safeguards for assuring quality, affordability and perpetuity are maintained.

27. Are there any changes that could be made to exception site policy that would make it easier for community groups to bring forward affordable housing?

Answer:

As an urban authority, Southwark does not have sites which would be eligible under the rural exception site rule. Nonetheless, Southwark has an affordable housing policy which seeks to facilitate the delivery of a range of affordable housing products within the borough. Any proposed change to exception site policies to make it easier for community groups to bring forward land for housing should recognise that the provision of all housing should be planned and appropriate to context, with regarding to surrounding land uses, transport and facilities.

28. Is there anything else that you think would help community groups in delivering affordable housing on exception sites?

Answer:

Southwark has no comments to make.

29. Is there anything else national planning policy could do to support community-led developments?

Answer:

Southwark has no comments to make.

30. Do you agree in principle that an applicant's past behaviour should be taken into account into decision making?

Indifferent

Please set out the reasons for your answer:

Southwark agree that certain issues relating to housing delivery could be more proactively addressed, including that of land banking. The approach taken to reflect consents granted in the housing delivery test (a 'permission-based test') is supported, together with the encouragement of build out as is understood to be proposed. Southwark is concerned about both option 1 and 2 as proposed. It is unclear how this can be a material planning consideration during the decision-making process. On a practical perspective, Southwark has significant concerns about taking this forward. Taking an individualised/discretionary approach to particular applicants or housebuilders which will not necessarily lead to a more positive outcome and may also have consequences on housing delivery.

If yes, what past behaviour should be in scope?:

31. Of the two options above, what would be the most effective mechanism?

Neither

Please set out the reasons for your answer:

Not Answered

Are there any alternative mechanisms?:

Not Answered

32. Do you agree that the three build out policy measures that we propose to introduce through policy will help incentivise developers to build out more quickly?

Not Answered

Please set out the reasons for your answer:

Further context is needed for full comment. With regard to policy measure A, it is useful for the housing supply to understand where sites have not been built out. Transparency regarding



this point is supported. With regard to policy measure B, further clarity is needed on what this means in practice. This is not supported because the increase in diversity in housing tenures should reflect local housing need and not the absorption rate. Schemes should not keep changing, the tenures should reflect local housing need and local policy on submission of the planning application. With regard to policy measure C, this is not supported. Delivery depends on many variables, including economic factors, the type of site (greenfield/brownfield) and need for upfront infrastructure. Further clarity is needed on the definition of slow delivery and whether this varies depending on a defined geographical area.

Do you have any comments on the design of these policy measures?:

Not Answered

## Chapter 6

33. Do you agree with making changes to emphasise the role of beauty and placemaking in strategic policies and to further encourage well-designed and beautiful development?

Indifferent

Please set out the reasons for your answer:

Beauty is an important aspect of delivering good development and should be intrinsic to the planning system. We recognise that the inclusion of a requirement of beauty will allow greater emphasis on better design quality as a material consideration in the planning process. The concept of beauty needs to be quantified and deconstructed. What is considered to be beautiful will vary from place to place, and needs to be responsive in form, function, locality, design, context and sustainability. It is important that sustainability and climate change mitigation is emphasised as an element of good design. Beauty should not be prioritised over other aspects of well-designed places and sustainability, specifically climate mitigation (carbon reduction) and climate adaptation.

34. Do you agree to the proposed changes to the title of Chapter 12, existing paragraphs 84a and 124c to include the word 'beautiful' when referring to 'well-designed places' to further encourage well-designed and beautiful development?

Indifferent

Please set out the reasons for your answer:

Chapter 12 would introduce the word 'beautiful' and is one of the areas where beauty is being specifically referenced. The emphasis of beauty, as opposed to a being a component of a well-designed place should be better defined. If these are to be disaggregated, Southwark's position is that sustainable design should also be included.

35. Do you agree greater visual clarity on design requirements set out in planning conditions should be encouraged to support effective enforcement action?

Indifferent

Please set out the reasons for your answer:

Southwark has a number of detailed planning conditions used to ensure that high quality of design and materials are secured and delivered. Southwark also uses planning conditions to maintain the quality of design including preventing unsympathetic alterations and additions at

a future date. Southwark welcomes greater emphasis made on securing and ensuring high quality design of schemes although it is unclear under this proposal how greater visual clarity would be included in planning conditions. In larger schemes, this could make decision notices lengthy and overly complex and would not provide any additional clarity, as approved plans are captured elsewhere on the decision notice.

36 Do you agree that a specific reference to mansard roofs in relation to upward extensions in Chapter 11, paragraph 122e of the existing Framework is helpful in encouraging LPAs to consider these as a means of increasing densification/creation of new homes?

Indifferent

Please set out the reasons for your answer:

Well-designed mansard roof extensions can facilitate the creation of new homes. Guidance would be required to consider any practical considerations around quality of design, fire safety, potential heritage impacts, space standards and residential quality. These factors would need to be considered and the detail secured through the planning process on a site-by-site basis. Further detail is also required on how it fits with permitted development rights for extensions. There is a distinction between generating additional residential floorspace at an existing property and subdividing and extending a unit to generate an additional unit. Proper guidance is required to manage this difference.

If no, how else might we achieve this objective?:

## Chapter 7

37 How do you think national policy on small scale nature interventions could be strengthened? For example in relation to the use of artificial grass by developers in new development?

Answer:

There is a standard best practice for nature interventions but there are a lot of details that are site specific, including what is relevant and suits the local context in terms of local habitat and species at a granular level, but also local commitments to nature and SINC management.

It would be good to understand how 'small scale nature interventions' relates to biodiversity net gain obligations. The Environment Act sets out requirements for Biodiversity Net Gain. In the absence of secondary legislation, it is hard to make a judgement on what should be strengthened. Small scale nature interventions could be strengthened by greater clarity of the relationship between these two pieces of legislation.

There is a need to understand how local authorities can benefit from credits for BNG in their local area and how we can prioritise onsite biodiversity net gain through the planning process. Artificial grass is not supported by Southwark, but there are much more strategic considerations and policy needed to support the delivery of Biodiversity Net Gain with the help of developers which would be more relevant.

Several questions require greater clarity to address this question:

- What would the implications be for Biodiversity Net Gain obligations at a national level and Urban Greening Factor at a regional level?

- If the policy is prescriptive for certain types of nature intervention, how suitable will they be for an urban context?
- How does the policy account for rural and urban different?
- How viable will increased nature conservation be to deliver alongside other obligations, how will it be secured, how will it be maintained and monitored?
- What are the implications for regional policy on nature interventions when there are already some existing?
- What does this mean for regional level policy on nature interventions?

Southwark would support further clarity on this as an issue, and a clarity on how much local authorities can do at a local level to meet regional and local ambitions to adapt to climate change, deliver biodiversity net gain and urban greening factor.

38. Do you agree that this is the right approach to making sure that the food production value of high value farm land is adequately weighted in the planning process, in addition to current references in the Framework on best and most versatile agricultural land?

Indifferent

Please set out the reasons for your answer:

This does not have any direct implications for Southwark as more of a rural planning policy.

39. What method and actions could provide a proportionate and effective means of undertaking a carbon impact assessment that would incorporate all measurable carbon demand created from plan-making and planning decisions?

Answer, including any supporting information:

It is unclear what the outcome of this would be. In principle a standard carbon impact assessment would be beneficial. However, to be successful, a proportionate and effective carbon impact assessment needs to be standardised for easy reporting, monitoring and comparison.

There are two types of carbon assessment one for tracking decarbonisation at the Local Authority Level, and then a carbon assessment methodology to be used per planning application. It is unclear what the context of this carbon assessment would be.

For tracking decarbonisation: There should be standard methodology for mapping a decarbonisation pathway and tracking how much carbon is reduced by each authority per year.

This is currently based of 2019 BEIS data which is outdated as it is from 2019. The whole system needs a revamp to support local planning authorities tracking their own decarbonisation pathway, and create a consistent approach. For a successful assessment of carbon in development: the carbon impact assessment also needs to be conducted throughout the lifespan of the building – post-construction, in-use and for a few years after that.

A standard methodology for assessing energy and carbon usage in buildings is required for successful measuring of carbon. Standard practice is to look at Building Regulation Part L to assess carbon in development. This is not fully representative of all carbon emissions and any standard methodology for a carbon impact assessment should be based on predictive energy modelling. An assessment of energy reduction, energy demand reduction and energy generation is much more representative of carbon emissions in a building at the in-use stage.

The standard carbon assessment should have:

1. A Clear definition of net zero including regulated and unregulated energy and separate definitions for embodied and WLC carbon.
2. Demonstrate energy consumption, energy efficiency and energy usage intensity measurement.
3. A clear distinction between reporting for new development and reporting for retrofitting and refurbishment.
4. Proportionate requirements for data collection on minor development and householder development
5. Data on renewable energy generation onsite
6. Standard methodology for heat source specific carbon emission factors and distribution loss factors I.e. for DHNs
7. Standard methodology and process for assessing the performance gap.
8. Standard methodology and process for assessing whole life carbon

It would be good to have some clarity on how this fits in with the future homes and future buildings standard, and with the industry proposed Part Z consultation.

Further clarity is needed on how this affects LPAs ability to set their own policy is needed. Southwark has ambitious aims to deliver net zero and a consistency in reporting is helpful where those ambitions are not inhibited.

40. Do you have any views on how planning policy could support climate change adaptation further, including through the use of nature-based solutions which provide multi-functional benefits?

Answer:

A national approach is only helpful where the net zero targets align. For the majority of boroughs in London, and elsewhere in the Country that have declared a climate emergency and have net zero carbon targets that are before the statutory 2050 net zero national target, national policy is just not responsive enough, and does not go far enough. Climate adaptation is a huge part of the climate emergency, ensuring that the environment and buildings, and people are able to adapt to the impacts of climate change. Due to the geographic and local context variation that impacts on climate adaptation, a local approach is needed to reflect the local needs, view and local environmental challenges.

Climate risk and climate justice varies geographically and should be managed separately. A rural community has different challenges than an urban context protected by the Thames Barrier, a regional flood defence. It would be good to have some clarity on how the requirements in the Environment Bill for waste, for nature conservation and for biodiversity net gain feed into climate change adaptation in the LURB and the NPPF, is there a joined up strategy or approach than can be clear on where the requirements sit and how organisations at all levels can contribute to climate adaptation. Further clarity is also needed on the life span of climate adaptation, its monitoring and maintenance, end of life strategy and co-ordination on cross-boundary issues.

Also further clarity is needed on what is meant by climate adaptation, how far reaching would the planning policy go, it is not just nature based solutions but building design and climate resilience in buildings e.g. overheating, which again all have local differences that planning policy should allow for specific management of at a local level.

## Chapter 8

41. Do you agree with the changes proposed to Paragraph 155 of the existing National Planning Policy Framework?

Yes

Please set out the reasons for your answer, including any views on specific wording changes to the existing paragraph:

The principle of re-powering is supported, particularly from an embodied carbon perspective to re-use and extend the life of already constructed renewable energy infrastructure.

It would be helpful to clarify exactly what re-powering is referring to in this context, and the scope of it. Is it just the repowering of dedicated renewable energy sites like wind turbines, or all renewable energy sources on buildings even in urban areas.

42. Do you agree with the changes proposed to Paragraph 158 of the existing National Planning Policy Framework?

Indifferent

Please set out the reasons for your answer, including any views on specific wording changes to the existing paragraph:

This does not apply to Southwark as there are no renewable energy sites. Renewable energy is embedded into the built environment in different ways in urban area, there are not dedicated sites. This aspect of renewable energy should be encouraged in the NPPF, the NPPF should encourage PV on all buildings to decarbonise the grid, and tackle rising energy costs. Significant investment in upskilling of PV installation is required for this to be successful.

43. Do you agree with the changes proposed to footnote 54 of the existing National Planning Policy Framework?

Yes

Please set out the reasons for your answer, including any views on specific wording changes to existing footnote 54:

This footnote is supported in principle. But further detail is needed to understand the implications of this. This is not relevant to Southwark. Southwark does not support wind energy development directly in the Local Plan and Southwark is an urban area where wind energy would not be supported. National guidance on where wind energy is optimal may be helpful, as well as guidelines on how to best manage and mitigate any externalities from it.

A clear process for how the local community need's have been addressed is needed. Also how can the benefits of local wind energy development benefit local people, and be supplied directly to local homes, not the grid.

We would value clarity on these key issues, to be give a more comprehensive response and agreement:

- How is satisfactorily addressed set out?
- What does community support mean?

Do you have any views on specific wording for new footnote 62?:

No answer.

44. Do you agree with our proposed new Paragraph 161 in the National Planning Policy Framework to give significant weight to proposals which allow the adaptation of existing buildings to improve their energy performance?

Yes

Please set out the reasons for your answer, including any views on specific wording changes to the proposed new paragraph:

Southwark does support the adaptation of existing buildings to improve energy performance. Based on the Climate Emergency declaration made at a Local Level and the local net zero carbon target by 2030, Southwark is developing local policy for retrofit and refurbishment of existing buildings to encourage whole life carbon reduction.

It would be helpful at a national level to have clearer support for retrofitting of buildings and heat sources, in a whole buildings approach. It should be made clearer what the implications of this are at a local level.

## Chapter 9

45. Do you agree with the proposed timeline for finalising local plans, minerals and waste plans and spatial development strategies being prepared under the current system?

Yes

Please set out the reasons for your answer:

This timeline seems reasonable. However, further detail is required to understand exactly what the changes are and what that means for the plan-making process.

There are a few elements that still need clarity. These questions include:

- How does this impact on partial review of Local Plans?
- If the duty to co-operate is removed how do the below issues get resolved:
- Waste apportionment implications?
- Borough views issues?
- Transport and highways issues?
- Management of green and open spaces and nature areas / SINC's that may be cross-boundary
- Any other cross-borough issues?

If no, what alternative timeline would you propose?:

46. Do you agree with the proposed transitional arrangements for plans under the future system?

No

Please set out the reasons for your answer:

This question covers several issues. One is the need for more detail on how the transitional arrangements would work, and how it fits in with other legislation. For example, adopting supplementary planning documents as supplementary plans, and the use of Partial Plan reviews. More clarity on what is required to be submitted for the new style plans and any implications for consultation and the Regulation 18 and 19 process would be helpful.

If no, what alternative arrangements would you propose?:

47. Do you agree with the proposed timeline for preparing neighbourhood plans under the future system?

Yes

Please set out the reasons for your answer:

The proposals are that Neighbourhood Plans submitted after 30 June 2025 will need to comply with the new legal framework. Southwark is supportive of neighbourhood plans, but does not have any currently in production. This change will therefore have no impact on Southwark.

If no, what alternative timeline would you propose?:

48. Do you agree with the proposed transitional arrangements for supplementary planning documents?

Indifferent

Please set out the reasons for your answer:

This new process for supplementary planning documents (SPDs) does not benefit local authorities and their ability to respond to local need. The use of SPDs is essential in developing local specific policy. SPDs are a cornerstone of providing additional guidance to support Local Plans. They play an integral role in local planning decision making on a range of issues. It is of value at a local level to have the flexibility of using SPDs to provide additional guidance more quickly than a Local Plan, if all supplementary planning documents will be adopted as supplementary plans in a much longer, more resource intensive process, local authorities lose the ability to respond to the local context and need in a time efficient manner. This is particularly valuable in diverse urban areas such as Southwark. It is also a major consideration in terms of addressing (changing) local health priorities, and health inequalities, as much local planning for health guidance is currently set out in SPDs.

The transitional arrangements are not clear on the process of including the SPDs in the new plan-making process and system. Adopting SPDs into the new guidance format would take significant resources and be a hindrance to both applicants and officers in providing additional guidance for the expectations of what should be submitted and demonstrated as part of their planning application to approve development to meet local need.

There is also more risk during the appeals process if there is not locally specific guidance to shape development which is suitable for its context, including in scale, design, land use and impact on local residents.

Some clarity is needed for the process of this, and what it means for the Local Plan and producing local guidance. Our remaining questions are:

- How does Local Plan examinations work?
- If supplementary plans and Local Plans have the same weight, how do they fit together in decision making?
- Are design codes examined?
- Are supplementary plans examined?

If no, what alternative arrangements would you propose?:

## Chapter 10

49. Do you agree with the suggested scope and principles for guiding National Development Management Policies?

No

Please set out the reason for your answer:

This approach would be a significant reform to the planning process. It is important that National Development Management Policies do not erode regional or local decision making. There are specific policies relating to the Southwark context that need to be made at a local level, with nuances in the application of national guidance. The Government should confirm that the NDMPs will set minimum standards, rather than rigid standards.

50. What other principles, if any, do you believe should inform the scope of National Development Management Policies?

Answer:

NDMPs should be confined to national issues. This may include clarity on how development can prioritise sustainability, including carbon reduction, reduction in whole life carbon and embodied carbon. In part, this can be addressed by embedding retrofit, densification, demolition and urban greening principles.

51. Do you agree that selective additions should be considered for proposals to complement existing national policies for guiding decisions?

Indifferent

Please set out the reason for your answer:

Southwark are generally supportive of the inclusion of a national policy on carbon measurement. For example, for carbon reduction in new developments, there is value in having a consistent approach. However the policy would need to consider local targets for carbon reduction set out by Climate Emergency Declarations and Net Zero Targets at a local level. Further detail is needed on the carbon measurement, what informs the baseline, the methodology and how it incorporates real time energy consumption and Whole Life Carbon. Local Authorities should be able to set their own net zero and carbon reduction targets for development at a local level and go beyond what is set at a national level.

Regarding the indicative example of allotments, in principle Southwark supports the increased protection to allotments as formal open space. However, there are instances where allotments are allowed on a temporary basis, and which would not be appropriate for formal designation. To allow for this circumstance, a revised policy should not impose a blanket open space designation for all allotments.

In regards to the final indicative example of housing in town centres and built up area, Southwark would not be supportive this as a specific policy. Southwark has a strategy established in the Local Plan to suit local need and context encouraging the development of employment floorspace and housing in strategic locations in the borough in town centres, protected shopping frontages and opportunity areas to encourage employment in core areas that benefit from good public transport and are also to other amenities. Southwark uses the Local Plan and Article 4 Directions to direct employment floorspace to appropriate locations in the borough. A national wide policy would not capture this granular detail and would not be appropriate at a local level, especially in such a diverse urban environment.

52. Are there other issues which apply across all or most of England that you think should be considered as possible options for National Development Management Policies?



Answer:

Other issues that would be helpful to have additional guidance on include Fire Safety, further information on design code production and how design codes should be weighted in decision. In addition, guidance on retrofitting and refurbishment separately to carbon reduction for new development would be of use.

## Chapter 11

53. What, if any, planning policies do you think could be included in a new Framework to help achieve the twelve levelling up missions in the Levelling Up White Paper?

Answer:

With the addition of climate change and climate resilience, as a focus area, Southwark are supportive of the themes. These are addressed in our local plan policies. More could be made of creation of employment opportunities locally, and targeting upskilling at professions that contribute to benefits for society. The time periods set out for each stage a national 'mission', however local authorities may have separate targets to meet local need which would need to be taken into account. Climate for example, and being net zero by 2030 following a climate declaration.

54. How do you think the Framework could better support development that will drive economic growth and productivity in every part of the country, in support of the Levelling Up agenda?

Answer:

There is an absence in the interim tracked changes of any changes to town centre and local economy aspects of the framework. The proposed changes do not appear to enable local authorities enough flexibility to deliver local policy to support economic growth. There are unique local characteristics that a national policy cannot recognise and adapt policy to. Local authorities play a key role in supporting their own local residents and creating employment opportunities and growth, any national changes would have to allow for this. Planning applications create employment opportunities, but there is more that can be done to draw this out further to deliver more benefits for local residents. The framework could better support the role of local authorities in driving local economic growth, which must include strong provision for local s106s. It's not clear from looking at the instances of employment discussed in the framework that there is sufficient weight given to a local authorities ability to demand specific obligations. It is very pro-development, which has its place, and there are a general statements around economic growth, but it is been our experience that obligations around employment must be specific and measurable, with a clear financial offset. And this is best set at a local level. Southwark and London has extensive infrastructure which makes it attractive for investment. Developments benefit greatly from local infrastructure and so they must contribute to it. Furthermore, there should also be greater recognition for the creation of green jobs, and focusing on areas where there are skills shortages that could unlock greater carbon savings for example upskilling for the installation of solar panels and heat pumps.

55. Do you think that the government could go further in national policy, to increase development on brownfield land within city and town centres, with a view to facilitating gentle densification of our urban cores?

Indifferent

Please set out the reason for your answer:

For Southwark, sites within urban cores, action areas and opportunity areas are already designated for growth and detailed policies are contained within each site allocation in the local plan. Densification in the Southwark setting will vary from other Authorities. It is unclear how a national approach would ensure densification of urban cores in a way that would optimise densification.

56. Do you think that the government should bring forward proposals to update the Framework as part of next year's wider review to place more emphasis on making sure that women, girls and other vulnerable groups feel safe in our public spaces, including for example policies on lighting/street lighting?

Not Answered

Please set out the reason for your answer:

Measures to focus on greater emphasis on quality, design and safety within the public realm is supported. This could be set out as part of, or as a consideration during the production of design codes rather than part of a national planning policy document. This links to the 'Secure by Design' principles but also should be a wider consideration and part of 'well-designed places'.

### Chapter 13

57. Are there any specific approaches or examples of best practice which you think we should consider to improve the way that national planning policy is presented and accessed?

Answer:

Specific approaches that would improve the way planning policy is presented and accessed would include non-technical summaries and a glossary of key terms to assist in what is meant by each section. The language should be clear and simple, and it should be clear how each document sits together in a hierarchy. It should be clearer also on the context of each of these changes, for example other pieces of legislation which intersect with these changes like the Environment Bill and existing local plan-making NPPG guidance.

58. We continue to keep the impacts of these proposals under review and would be grateful for your comments on any potential impacts that might arise under the Public Sector Equality Duty as a result of the proposals in this document.

Answer:

Potential equalities impacts would include the impact of changes to the housing delivery test on affordable housing delivery which is expected to be limited but worth acknowledging, implications of improving existing buildings energy efficiency for occupiers which would be positive in terms of reducing the cost of energy bills, and impacts of the increase in wind farms and re-powering of energy sources on amenity but this should also be limited in the wider balance but worth noting to have a mitigation for.

Furthermore, policy written at a national level does not identify local need, and unique protected characteristics at a local level. It would be useful to clarify if DLUC have done a Sustainability Appraisal and other assessments of the proposed policies to understand the impacts of the policies. An equalities impact assessment, integrated impact assessment and health impact assessment would be useful to undertake to identify the impacts. On a separate equalities note, it would also help to establish standard practice on how the EQIAs should be undertaken.