

Sarah McMichael
Joint Chair of Lee Forum

Sent via Email: info@leeforum.org.uk

12 September 2019

Dear Ms McMichael,

Lee Neighbourhood Development Plan, Draft for Public Consultation Representations on Behalf of St Modwen Developments

We write on behalf of our client St Modwen Developments ('St Modwen') in response to the Lee Neighbourhood Development Plan, Draft for Public Consultation (May 2019). St Modwen own Leegate Shopping Centre ('Leegate Centre') within Lee Green District Centre, which sits within the extent of Lee Forum.

As you will be aware, St Modwen are seeking to redevelop Leegate Centre for a retail-led mixed use development. Leegate Centre was built over 50 years ago and has gradually declined as shopping patterns and the needs of retailers have changed over time. St Modwen's proposals seek to regenerate a strategic District Centre, improve the townscape of the local area and act as a catalyst for further development in Lee Green.

The Lee Neighbourhood Development Plan ('Draft NP') has been reviewed and St Modwen's comments are set out below:

Leegate Centre

In principle St Modwen broadly support the proposed draft policies and supporting text within the Draft NP. The Draft NP identifies that the decline of Lee Green District Town Centre is due to the '*lack of investment in Leegate Shopping Centre*' which has been neglected and under-used (Section 3.1).

The Draft NP designates Leegate Centre as having a '*mix of uses*', as a '*retail centre*', as a '*shopping area*', as a '*retail / cultural hub*', and as having '*active frontages along Burnt Ash Road and Eltham Road*' within Lee Green Town Centre. St Modwen acknowledge that Leegate Centre is not specifically allocated within the Draft NP for redevelopment. Notwithstanding this, St Modwen support reference to the proposed planning application for the regeneration of Leegate Centre within the Draft NP:

'the Plan is not able to influence proposals for new development of the site as the process has already begun. However, the site does offer opportunities for improved quality of design and scale of the built form in relation to its context and streetscape, and enhancement of the public realm in order to reinstate the permeability of the area' (page 168) [our emphasis].

'improvements to Leegate Shopping Centre could offer the opportunity to revive the surrounding town centre of Lee Green, making it a local destination to surrounding neighbourhoods, providing and important centre for local employment and creating a thriving local economy' (Section 3.1) [our emphasis].

The Draft NP confirms that Lee Forum should *'work with stakeholders to ensure adequate provision of community space in the new Leegate Centre development'* (Section 5.4.7). St Modwen have undertaken extensive stakeholder and public consultation throughout the design and planning process for the redevelopment of Leegate Centre. The current proposals seek to provide space for a community use on the site.

The Draft NP also seeks to allocate sites surrounding Leegate Centre for redevelopment. The Saisbury's site which is located directly opposite the western boundary of Leegate Centre is allocated for mixed use redevelopment which provides an opportunity to enhance street frontages and public realm along Burnt Ash Road. The garages on the corner of Millbank Way and Osberton Road to the south of Leegate Centre are allocated for residential development. St Modwen support the wider regeneration of Lee District Centre alongside the redevelopment of Leegate Centre.

Draft Neighbourhood Plan Policies

St Modwen consider that the majority of the proposed Draft NP policies broadly accord with national and local LB Lewisham Development Plan policies. However, St Modwen believe that the following Draft NP policies do not accord with national or local planning policy, and request that they are amended as follows:

- **Draft Policy R1 Maintain, Improve and Sustain the Diversity, Vitality and Viability of Retail Stores:** The policy confirms that *'changes of use resulting in the loss of retail, employment, socio-cultural and leisure services will not be supported'*. Draft Policy R1 appears to be contrary to LB Lewisham Core Strategy (2011) Policy 6 Retail Hierarchy, which allows the change of use of shopping facilities to be considered if there is evidence that there is no economic prospect of such uses continuing. Draft Policy R1 is also contrary to LB Lewisham Development Management (2014) (DM) Policy 14 District Shopping Frontages, which allows the change of use of retail units, provided that it does not harm the vitality and viability of the centre. St Modwen request that Draft Policy R1 is amended to enable changes of use within primary and secondary shopping frontages in accordance with Local Development Plan Policies.
- **Draft Policy GB2 Achieving a Green Infrastructure-led Development Approach:** The policy states that development will be required to demonstrate a net greening of Lee Forum area, avoiding where possible any areas of hard landscaping. Draft Policy GB2 appears to be contrary to DM Policy 25 Landscaping and Trees, which states that all major developments will be required to submit a Landscape Management Plan detailing the provision, management and maintenance of high quality hard and soft landscaping and trees. St Modwen request that Draft Policy GB2 is amended in accordance with DM Policy 25, to provide support for proposals for high quality, hard landscaping, alongside soft landscaping. Proposal for the development of Leegate Centre will include both hard and soft landscaping.
- **Draft Policy GB4 Protection and Increase of Tree Cover:** The policy states that development will not be supported where it would result in the unacceptable loss or damage to existing Tree Preservation Order (TPO) trees or mature trees (age 10 years plus). The removal of TPO and mature trees should be avoided, and where it cannot be avoided trees should be replaced at a ratio of 3:1 and be equal or greater corresponding value (quantity, maturity and biodiversity). The policy also states that new paving laid around new or existing trees will have permeable square surrounds.

Figure 7 of the Draft NP identifies existing trees around Leegate Centre along Eltham Road and at Tigers Head Junction as *'sizeable trees to be protected'*. Figure 7 identifies other existing trees along Eltham Road, in Leegate Centre public square and along Leyland road as *'Tree Preservation Order / mature trees*

to be protected'. St Modwen's redevelopment proposals for Leegate Centre seek to remove 15 existing trees (3 of which have a TPO) along Burnt Ash Road, Tigers Head Junction, Leegate Centre public square and Leyland Road. However, the proposals also propose the replanting of 100 new trees, the majority at street level.

Draft Policy GB4 is contrary to DM Policy 25 Landscaping and Trees, which states that new and replacement tree planting must be an appropriate species that reflects the existing biodiversity in the borough. DM Policy 25 does not set a ratio for the number of replacement trees required. Draft Policy GB4's requirement that a single mature / TPO tree is replaced by three similarly mature trees would not allow the three replacement trees sufficient space to grow within the space which was previously occupied by a single mature tree. St Modwen request that Draft Policy GB4 is amended to accord with DM Policy 25 and remove reference to the tree ratio replanting requirement.

St Modwen accept that the proposed paving laid around trees should be permeable, but the Draft Policy GB4 requirement for square surrounds paving is considered to be overly prescriptive. It does not support alternative proposals for high quality paving design in accordance with DM Policy 35 Public Realm. St Modwen request that Draft Policy GB4 is amended to remove reference to *'square surrounds'*, but maintains the need for high quality and permeable paving around new trees.

- **Draft Policy CL1 Protection, Enhancement and Provision of Community Buildings:** The policy identifies key community buildings within Lee Forum area, including Lee Green Community Centre located within Leegate Centre. Draft Policy CL1 states that development which would result in the change of use or loss of an identified existing community building will not be supported, unless it is underutilised, there is adequate alternative provision, or an appropriate alternative community space is proved as part of the redevelopment within 500 metres of the original site. New facilities should be located in or near local retail hubs and on ground floor level to benefit from footfall and accessibility.

St Modwen support the proposed policy for the re-provision of community facilities, however it is not considered to be necessary to provide the community use at ground floor level in order for it to be accessible. St Modwen are currently proposing a community facility at first floor level, but a ground floor entrance and lift access would ensure accessibility for all users (wheelchairs and pushchairs etc). St Modwen recommend that Draft Policy CL1 removes reference to the need to provide community facilities only on the ground floor.

- **Draft Policy TC2 Improve Measures to Tackle Pollution Levels:** The policy states that development will be required to make positive contributions to improving air quality and reducing noise pollution in the Lee Forum area. Developments should provide electric vehicle charging points provision in all new residential parking spaces. All residential homes should be within 500 metres of safe and secure cycle storage an electric charging point for vehicles.

Draft Policy TC2 does not accord with national or local policy requirements for electric vehicle parking. The Development Management Local Plan (2014) accords with London Plan (2016) car parking standards, which confirms that 20% of all residential car parking spaces must be for electric vehicles with an additional 20% passive provision. Policy TC2 should be amended to accord with the London Plan (2016) parking requirements for a maximum of 20% active and 20% passive provision of electric vehicle parking for residential developments.

- **Draft Policy TC3 Improve Road and Traffic Safety Measures:** The policy states that proposals should improve key junctions, improve pedestrian crossings, improve parking for shops, prioritise improvements and crossings along identified strategic walking routes and provide safe pavements. Draft Policy TC3's requirement to improve parking for shops is contrary to Core Strategy Policy 14, which seeks a managed and restrained approach to car parking provision to aid the promotion of sustainable transport in accordance with the London Plan. St Modwen recommend that Draft Policy TC3 is amended to remove

reference to the need to improve parking for shops in order to ensure that future proposals within Lee Forum Area accord with the relevant Development Plan Policies.

- The Draft NP also confirms that Lee Forum seeks to work with LB Lewisham and Royal Borough of Greenwich to bring forward the designation of new proposed conservation areas in Lee Green Town Centre. The conservation area covers part of Lee Green Town Centre and abuts the northern boundary of the Site along Tigers Head Junction, part of Burnt Ash Road and Eltham Road. St Modwen support the exclusion of Leegate Centre from the extent of the proposed conservation area. To date St Modwen have ensure that all planning applications for the redevelopment of Leegate Centre have included an Environmental Impact Assessment which assesses the impact of the proposals on existing neighbouring heritage assets.

Summary

St Modwen are pleased to have had the opportunity to provide comments in relation to this consultation. In summary, St Modwen are supportive of the Draft NP's proposed policies and the recognition of the proposed redevelopment of Leegate Centre. Notwithstanding this, St Modwen recommend the amendment of the aforementioned draft policies in order to ensure that they accord with local and national planning policy.

St Modwen request that these comments are taken into consideration as part of the preparation of the Draft NP and that they are consulted on any further consultations in respect of the preparation of the Lee Neighbourhood Development Plan. Should you have any queries on this correspondence, please contact my colleague Sarah Hall 0207 007 8523 or sarahhall@deloitte.co.uk

Yours sincerely



Mark Underwood
Deloitte LLP