

THE LONDON BOROUGH OF SOUTHWARK

**TOWN AND COUNTRY PLANNING ACT 1990
AND ACQUISITION OF LAND ACT 1981**

Revised Inquiry into

**THE LONDON BOROUGH OF SOUTHWARK
(AYLESBURY ESTATE SITES 1B-1C)**

COMPULSORY PURCHASE ORDER 2014

PINS REFERENCE: NPCU/CPO/A5840/74092

**Summary of Proof of Evidence of
Richard Lee (35% Campaign)
For the Aylesbury Leaseholders Group**

9 December 2017

1. My name is Richard Lee, I am a local resident and member of the Elephant Amenity Network, which has an interest in the regeneration of the local area. We engage in planning matters ranging from housing to public realm and sustainable development.
2. The group is a founding member of the Elephant & Walworth Neighbourhood forum and engages in the planning and consultation process for most major developments in the area. This includes making representations to the Acquiring Authority's planning committee on individual applications and on a local policy level.
3. Myself and other members of the group made representations in person at the examination in public of the Aylesbury Area Action Plan in 2009.
4. In my evidence I speak to the question of whether the scheme underlying the order is being implemented according to the development plan.
5. I show how the proposed scheme fails to comply with the policy requirements of the development plan in the following areas:
6. **Affordable housing mix and distribution** – the AAAP requires development to be tenure blind with each block reflecting the overall tenure mix of the phase. The proposed scheme includes 10 blocks which are entirely single tenure. Two of these are the tall blocks overlooking the park which are entirely private tenure.
7. **Overall housing mix** – the AAAP requires a large number of family homes and a minimum of 23% houses. The amended scheme proposes just 6%.
8. **Wheelchair accessible housing** – the development plan requires a minimum of 10% of the dwellings to be built as wheelchair accessible. The amended scheme proposes just 4.5%. In addition, the section 106 agreement fails to secure the provision of a minimum number or proportion of wheelchair accessible units.

9. **Renewable energy** – the development plan requires a minimum of 20% on-site renewable energy provision and the AAAP envisaged a 100% renewable biomass fuelled energy centre servicing the entire redeveloped estate. The amended FDS scheme proposes its own non-renewable gas-fuelled plant with solar panels providing just 3% on-site renewable energy.
10. **Open space** – The AAAP envisaged a wide variety of new open spaces ensuring that there would be no net loss of open space through the redevelopment. The proposed FDS scheme combined with the outline scheme is set to result in a net loss of 1.8 hectares of open space.
11. **Youth play space** – The AAAP envisaged the provision of 3 hectares of youth play space. There is a shortfall of provision of 12+ play space under the scheme as proposed with 1,180 square metres of 12+ play space required by policy not being provided on the FDS.
12. The amended scheme fails to comply with further policies of the development plan including:
 - Provision of private amenity space;
 - Design/land use requirements
13. Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that planning proposals “*must be made in accordance with the plan unless material considerations indicate otherwise*”. This creates a presumption that planning proposals must conform to the development plan and where they don’t, the decision-maker must indicate which material consideration(s) outweigh the respective policy requirements of the development plan.
14. My evidence shows that in each case of non-compliance, the Acquiring Authority has failed to indicate or provide sufficient indication of material considerations justifying the departures from policy requirements.