

LONDON BOROUGH OF WANDSWORTH LOCAL PLAN PARTIAL REVIEW
(WLPPR)

INDEPENDENT EXAMINATION IN PUBLIC

**WRITTEN STATEMENT MAIN MATTER 1:
LEGAL REQUIREMENTS**

TUESDAY 4 NOVEMBER 2025

COUNCIL RESPONSES TO MAIN MATTER 1

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Abbreviations

DtC – Duty to Co-operate

EINA – Equality Impact Needs Assessment

GLA – Greater London Authority

HBP – Housing Background Paper (2025)

HNA – Housing Needs Assessment (2024)

HRA – Habitats Regulations Assessment

LSPBSL – Large-Scale Purpose-Built Shared Living

NPPF – National Planning Policy Framework (December 2023)

PCPA – Planning and Compulsory Purchase Act 2004

PPG – Planning Practice Guidance

PSED – Public Sector Equality Duty

SA – Sustainability Appraisal

SAC – Special Area of Conservation

SCI – Statement of Community Involvement (2025)

SEA – Strategic Environmental Assessment

SOCG – Statement of Common Ground

VBC – Vacant Building Credit

WLPPR – Wandsworth Local Plan Partial Review

WPVA – Whole Plan Viability Assessment (2024)

Question 1.1 - Preparation of the Plan needs to have met certain legal and procedural requirements as set out in the Planning and Compulsory Purchase Act 2004, the Town and Country Planning (Local Planning) (England) Regulations 2012, other legislation and national planning guidance.

The Council has prepared the Wandsworth Local Plan Partial Review (WLPPR) in full compliance with all relevant legislation, regulations and national planning guidance, including the provisions of the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2012. The preparation of the WLPPR has been carried out in accordance with the Council's published Local Development Scheme **(SD024)**.

Further information demonstrating how the Council has complied with specific legislative and regulatory requirements can be found under the relevant question below and summarised in the Legal Compliance Checklist **(SD012)**.

Duty to Co-operate

Question 1.2 - Have all the relevant strategic matters in relation to this duty been clearly identified? Only relates to Policy LP23 (strategic matters)

Yes, in preparing the WLPPR, the Council has fully met its Duty to Co-operate (DtC) under S33A of the Planning and Compulsory Purchase Act 2004 (as amended) (PCPA).

In preparing the WLPPR, the Council has engaged constructively, actively and on an ongoing basis with neighbouring boroughs, other public bodies and other consultees on strategic issues.

The Duty to Co-operate Statement (Submission Version) **(SD009)** sets out details of the timely, effective and conclusive engagement that has taken place with prescribed bodies at each stage in the plan's preparation, as well as other relevant engagement, including details of participatory forums, meetings and consultation responses.

The WLPPR was subject to two formal stages of public consultation. Effective engagement and discussions with prescribed bodies took place at both of these stages as well as throughout the preparation of the WLPPR. A number of bilateral meetings were held to discuss any specific cross-boundary policy and strategic issues.

All strategic matters have been identified and defined per Section 33A(4) of the Planning and Compulsory Purchase Act 2004. The Duty to Co-operate Statement clearly sets out in Section 6 any relevant strategic matters that have arisen from consultations and engagement. Given the narrow scope of the WLPPR, strategic

matters would inherently be limited to housing matters, and specifically affordable housing.

For the purposes of the PCPA, strategic matters are those which have, or would have, a significant impact on at least two planning areas. Whilst the Council has continuously and constructively carried out Duty to Co-operate activity with other bodies on issues pertaining to strategic matters, the final outcome of engagement with neighbouring authorities at the point of submitting the WLPPR was that those authorities did not consider the WLPPR to contain policies that would have a significant impact on their area.

Since the submission of the WLPPR, the Council has taken a positive approach to agreeing Statements of Common Ground (SOCG) with a number of neighbouring authorities and other prescribed bodies. These include

- **SOCG01:** WBC and Environment Agency
- **SOCG02:** WBC and Natural England
- **SOCG03:** WBC and London Borough of Hammersmith and Fulham
- **SOCG04:** WBC and Royal Borough of Kensington and Chelsea
- **SOCG05:** WBC and London Borough of Lambeth
- **SOCG06:** WBC and London Borough of Merton
- **SOCG07:** WBC and City of Westminster
- **SOCG08:** WBC and Royal Borough of Kingston upon Thames

Each of these SOCGs identify the following common ground between the Council and other bodies:

- i. No cross-boundary or strategic matters arising from the Wandsworth Local Plan Partial Review have been identified through co-operation between the parties
- ii. In relation to co-operation between the parties, both parties are satisfied that Wandsworth Council has fulfilled its legal duty to cooperate in the preparation of the Wandsworth Local Plan Partial Review
- iii. The parties which are signatories to this Statement have co-operated effectively and on an ongoing basis throughout the preparation of the Wandsworth Local Plan Partial Review

In relation to Duty to Co-operate with the neighbouring London Borough of Richmond upon Thames, Wandsworth and Richmond Councils have had a shared staffing arrangement in place since 2016, facilitating ongoing liaison to fulfil the duty. Both Councils are committed to ongoing liaison, utilising appropriate governance arrangements, informally at officer level and escalation to Member level where necessary. The Council can confirm that the London Borough of Richmond upon

Thames is in agreement with Wandsworth Council and is engaged with them on strategic matters on an on-going basis.

Consequently, the Council has fulfilled all legal obligations pertaining to the Duty to Co-operate under the Planning and Compulsory Purchase Act 2004.

In relation to Duty to Co-operate with the Greater London Authority, it is agreed that both parties consider that they have each co-operated effectively and on an ongoing basis throughout the preparation of the Wandsworth Local Plan Partial Review and both parties consider that the Wandsworth Local Plan Partial Review has been prepared in accordance with all other relevant legal and regulatory requirements.

London Plan

Question 1.3 - Is the WLPPR in 'general conformity' with the London Plan as required by the provisions of Section 24 of the 2004 Act?

The Council has submitted a Local Plan that it considers to be in 'general conformity' with the London Plan, as required by Section 24 of the 2004 Act.

The Greater London Authority (GLA), on behalf of the Mayor of London, have been consulted and submitted representations to both the Pre-Publication (Regulation 18) and Publication (Regulation 19) consultations on the WLPPR. These representations, along with the Council's response, are set out in the Appendix 3F to the Statement of Consultation Submission Version [see Rows 52, 149, 172, 180 and 198] **(SD010a)** and Appendix 6 to the Statement of Consultation Regulation 19 Version [see Row 023] **(SD008)**.

Alongside formal consultation processes, the Council engaged with officers of the GLA on a number of occasions throughout the preparation of the WLPPR (specifically on 23rd January 2024, 7th June 2024, 18th September 2024, 10th December 2024 and 12th February 2025). A summary of these meetings and any outcomes is included in the Duty to Co-operate Statement (Submission Version) **(SD009)**.

Overall, the Council considers that the engagement between itself and the GLA (on behalf of the Mayor of London) has been constructive and meaningful. The Council has developed a set of policies which it considers sound, justified and in general conformity with the London Plan.

The Mayor's response to the WLPPR at the Regulation 19 stage identified a small number of areas where the Mayor was concerned the WLPPR may not be in general conformity. Their key concerns are understood to be:

- The proposal, as part of Policy LP23, to set a Fast Track Route threshold for private non-industrial sites at 45%, rather than the 35% threshold set out in London Plan Policy H5.
- The proposal, as part of Policy LP23, to require a late-stage viability review from schemes which follow the Fast Track Route but provide less than 50% affordable housing.

Since the submission of the WLPPR, the Council has continued to work constructively and positively with the Mayor of London to discuss these matters. At the time of writing, a Statement of Common Ground is being agreed with the GLA which seeks to identify all matters of common ground and any outstanding matters of uncommon ground.

With respect to the Council's Fast Track Route, the Council considers that it has developed its proposed policy approach to be in general conformity with the London Plan, including by retaining the 50% strategic target and the inclusion of a Fast Track Route. The Council considers that a higher threshold for private sites is both justified and not so fundamentally distinct that it means the policy would not be in general conformity with the London Plan.

The Council's proposed policy maintains the purpose of the late-stage review as a mechanism for incentivising developers to meet a higher threshold consistent with the Mayor's strategic 50% target. As a result, the Council considers that an adjustment to the use of late-stage review mechanisms is likewise justified and not so fundamentally distinct that it means the policy would not be in general conformity with the London Plan.

The detailed justification for Policy LP23, including in relation to general conformity, is included in the Council's statement for Main Matter 2.

On both matters, the Council's view is that 'general conformity' allows for locally justified differences, and that the concept of general conformity is clearly distinct from absolute conformity. The Housing Background Paper (HBP) 2025 (**SD013**) sets out examples of other London authorities who have adopted similar features into affordable housing policies whilst remaining in general conformity with the London Plan. Further analysis on conformity with the London Plan is set out in the HBP.

The Mayor's response includes other observations which are not identified explicitly as conformity objections. The Council has nevertheless responded to these points within Appendix 3F to the Statement of Consultation Submission Version [see Rows 52, 149, 172, 180 and 198] (**SD010a**) and in its hearing statements relating to each policy. A summary of the Council's response to each observation is set out below:

- Policy LP28: A request to establish prioritisation of affordable housing from purpose-built student housing developments between affordable student housing and conventional affordable housing and to note prioritisation that London Plan Policy H15 gives to affordable student housing.

Council response: Policy LP28 sets out that student housing schemes will be expected to contribute to both conventional affordable housing and affordable student housing which has been tested as part of the Whole Plan Viability Assessment (WPVA) 2024 (**SD022**). The Council has recommended a potential modification (**M28/4**) for the Inspector to consider which would help to rectify the GLA's concerns on clarity by setting out how the Council expects developers to calculate and prioritise their contributions towards both types of affordable housing. However, the Council's view is that where a development cannot viably provide a policy-compliant contribution towards both affordable student housing and conventional affordable housing, developments will be expected to first maximise their contribution towards conventional affordable housing. Following this, any surplus above reaching full policy-compliance to conventional affordable housing should be used to then maximise their contribution towards affordable student housing. The Council considers this position justified due to the significant and urgent need for conventional affordable housing as detailed in the Council's evidence base and this Statement.

- Policy LP28: A request for purpose-built student housing to follow the Fast Track Route.

Council response: Proposals providing both forms of affordable housing would be eligible for the Fast Track Route. The Council has recommended a potential modification (**M28/4**) to the supporting text for the Inspector to consider which would make the relationship between the policy and the Fast Track Route clearer.

- Policy LP30: A request for the policy to clarify that the 'remaining 30 per cent' of affordable units should be provided as intermediate housing (e.g. London Living Rent or Discounted Market Rent).

Council response: The Council has recommended a potential modification (**M30/1**) for the Inspector to consider which would update the supporting text to clarify that the remaining 30% should be a range of intermediate rents.

- Policy LP29: A request for the affordable housing requirements of the policy to be changed to align with London Plan Policy H16.

Council response: The changes proposed to Policy LP29 are required for consistency with Policy LP23. Overall, the Council has taken a balanced and evidence-based approach to meeting high levels of affordable housing need whilst maintaining overall deliverability and is informed by a range of evidence including a Housing Needs Assessment (HNA) 2024 (**SD020**) and WPVA. The WPVA demonstrates that a significant number of development typologies would be viable at a 45% threshold, which is the threshold required under the Council's Fast Track Route. The WPVA has not specifically tested the affordable housing requirements on Large-Scale Purpose Built Shared Living (LSPBSL) typologies, as the relative paucity of such schemes in Wandsworth, including its housing pipeline, make such schemes a relatively unlikely typology. However, the Council consider that the 50% discount on rents required across 50% of the habitable rooms within LP29, is comparable to the WPVA and Site Testing for Purpose Built Student Accommodation (PBSA) requiring 50% affordable student accommodation and a Payment in Lieu equivalent to 50% affordable housing. The conclusions of the WPVA and Site Testing showed the PBSA typologies were viable across the significant majority of tests, which included testing four PBSA schemes, of which two were tested across four Benchmark Land Values and nine different market value areas. PBSA and LSPBSL accommodation have a number of similarities, such as the inclusion of services and facilities onsite, with assumptions such as maintenance costs, voids and management fees attributed to both tenures being very similar. This results in the Council being confident in the policy being deliverable for a significant proportion of LSPBSL developments.

The policy retains the requirement as per the London Plan, that requires all LSPBSL schemes to be Viability Tested, but if requirements are met there would be no requirement for a late-stage review as per London Plan policy H16. Overall, the Council considers its policy approach to be effective, justified and deliverable. Detailed justification for the policy approach, having regard to housing need, housing supply and viability can be found in Sections 8-11 and 15 to the HBP.

- Policy LP31: A request for Policy LP31 to establish the need for specialist older persons housing, such as to refer to the Mayor's indicative benchmark figure.

Council response: The WLPPR makes reference, at Paragraph 17.70, to the London Plan's benchmark target for older person's housing and makes clear that this should be considered in the context of more detailed local assessments of specific types of need.

The Council recognises there is some indication in other representations that its proposed use of mid-stage reviews was not in general conformity with the London Plan. This is not a matter raised in the GLA's representation and it is the Council's intention that mid-stage reviews would be a discretionary measure reserved for larger, multi-phased sites as with the London Plan. A potential modification (**M23/5**) to the supporting text of Policy LP23 has nevertheless been recommended to the Inspector which would further clarify the interpretation of the policy in relation to mid-stage reviews.

As above, at the time of writing, a Statement of Common Ground is being agreed with the GLA which seeks to identify all matters of common ground and any outstanding matters of uncommon ground.

Statement of Community Involvement

Question 1.4 - Were adequate opportunities given for participants to access and make comments on the WLPPR? Have any concerns been expressed about the process of commenting on the WLPPR?

Yes, the preparation of the WLPPR has met the commitments set out in the Council's Statement of Community Involvement (SCI) (**SD023**).

The WLPPR was subject to two formal stages of consultation:

- The Pre-Publication (Regulation 18) consultation held between 23rd October 2023 and 4th December 2024; and
- The Publication (Regulation 19) consultation held between 13th January and 24th February 2025.

Both consultation stages were carried out in accordance with the relevant requirements of the Town and Country Planning (Local Plan) (England) Regulations 2012.

The Statement of Consultation (Submission Version) (**SD010**) sets out how both consultations were carried out in accordance with the requirements of the Council's SCI and the 2012 Regulations. The Statement of Consultation, and its appendices, sets out:

- The list of consultees invited to comment at each stage (Appendices 1 and 3A)
- The ways in which the consultations were publicised and consultees were notified (Appendices 2B, 2C, 3B and 3C)
- How representations were able to be made (Appendices 2E and 3E)
- The main issues raised in representations received (Appendices 2D and 3D)
- Representations received with a Council response (Appendices 2F and 3F)

- A direct comparison of the Council's engagement methods and SCI requirements (Paragraph 2.31)
- Details of further, discretionary / informal engagement and publicity activities that the Council opted to undertake to raise awareness of opportunities to influence the WLPPR outside of formal consultation windows.

Details of the wide range of publicity methods used to promote the Regulation 18 consultation are set out at Paragraph 2.10 of the Statement of Consultation.

In total, representations to the Regulation 18 consultation were received from 228 respondents, including from prescribed bodies. All representations submitted were fully considered and an individual Council response setting out how the representation would be taken into account is set out in Appendix 2F to the Statement of Consultation.

Following the conclusion of the Regulation 18 consultation and the preparation of the draft policies, the Council developed a consultation strategy with the express aim of identifying individuals and organisations who may have a direct interest in the changes being made to the Local Plan, with a particular focus on those who would not ordinarily be represented or otherwise involve themselves in Local Plan consultations. This had led the team to identify existing forums, such as Wandsworth's Area Housing Panels, the Borough Residents Forum and the networks of known voluntary and community sector groups, to introduce and explain the purposes of the plan and the reasons for its review. Further information is set out in the Statement of Consultation.

Details of the wide range of publicity methods used to promote the Regulation 19 consultation are set out at Paragraph 2.32 of the Statement of Consultation. The Council's 'What is Planning?'¹ booklet, an illustrated resource created to help residents understand and engage with the planning system, was widely used in engagement activities.

In total, representations to the Regulation 19 consultation were received from 116 respondents, including from prescribed bodies. All representations submitted were fully considered and an individual Council response is available in Appendix 3F to the Statement of Consultation.

The Council's view is that there is no indication from the representations made at either the Regulation 18 or 19 stages that the Council's consultation and engagement methods were inadequate or in any other way non-compliant with the Council's SCI or 2012 Regulations.

¹ [What is Planning by Wandsworth Council](#)

Overall, it is considered that the Council's consultation methods have met and exceeded the obligations set out in the Council's SCI and the 2012 Regulations.

Sustainability Appraisal

Question 1.5 - Have the new policies in the WLPPR been appraised against economic, social and environmental objectives? Did that appraisal include any reasonable alternative options? Was the appraisal process robust and objective? Have the conclusions of the appraisal influenced development of the new policies?

The WLPPR has been subject to, and informed by, the process of Sustainability Appraisal (SA) throughout its development.

SA is an iterative and systematic approach to assessing the extent to which an emerging plan, when judged against reasonable alternatives, will help to achieve relevant environmental, economic and social objectives. The Planning and Compulsory Purchase Act 2004 (PCPA) requires a local planning authority to carry out a sustainability appraisal at each stage of plan-making. SAs incorporate Strategic Environmental Assessments (SEAs), ensuring that potential environmental effects are given full consideration alongside social and economic effects.

The NPPF states that local plans should be informed throughout their preparation by an SA that meets the relevant legal requirements, including SEA. The PPG provides further clarity on the need for SA and SEA in relation to plan preparation, giving a steer as to the level of detail required. This should not be done in any more detail that is considered to be appropriate for the content and level of detail in a Local Plan.

The Council prepared and published a Sustainability Appraisal report (**SD017**) to support the Pre-Publication (Regulation 18) consultation on the WLPPR. The Regulation 18 SA report identified that the Council proposed to maintain the objectives set out in the 2018 Integrated Impact Assessment which informed the 2023 Local Plan as the basis for the Sustainability Appraisal for the WLPPR. Given that these objectives were used consistently throughout the production of the recently adopted Local Plan with no significant issues raised, this is considered to be a reasonable and proportionate approach.

The Regulation 18 SA report identified that the WLPPR had a limited scope, being predominantly relevant to only the 'population' and 'housing' topics of the SA assessment framework, and predominantly relevant to only four of the 20 sustainability objectives. It considered that the underlying baseline data and trends had not changed to a degree that meant they raised new issues which were not already appropriately included within the sustainability objectives identified in 2018. Further, given the relatively recent adoption of the 2023 Local Plan, and the limited scope of the WLPPR, the appraisal framework that had been used to appraise the

2023 Local Plan was considered to remain a justified and robust basis upon which to undertake the SA of the WLPPR. This report was subject to public consultation alongside the Pre-Publication (Regulation 18) consultation on the WLPPR. Only one representation was made which referenced the Regulation 18 SA Report, which raised a matter relating to scoring which was not specifically undertaken at the Regulation 18 stage and was instead a matter to be considered in the development of subsequent SA work.

A Regulation 19 SA Report (**SD003**) was subsequently prepared to inform and test policy options and reasonable alternative options against appropriate economic, social and environmental objectives. For each policy within the scope of the WLPPR, the Regulation 19 SA Report identifies a number of reasonable alternatives and appraises these against the sustainability objectives on the basis of both the positivity or negativity of impact and the timescale for those impacts to be realised. The policies are further appraised for their impacts in the context of the overall topic groups outlined in the SA.

Detailed appraisal tables are set out within the Regulation 19 SA Report which contain the final scoring and outcomes of each appraisal. For each of the policies within scope of the WLPPR, a clear conclusion of the appraisal process is set out which has informed the development of the final policies.

The Regulation 19 SA Report was published for consultation alongside the Publication (Regulation 19) version of the WLPPR. No representations were received which expressed concerns relating to the SA, either in relation to its methodology or outcomes.

The Council's view is that the SA process has been both robust and objective, undertaken in the context of an appraisal framework which is consistent with the robust approach taken as part of the 2023 Local Plan. Furthermore, the SA process has been carried out on the basis of a transparent methodology and set of outcomes which have been subject to appropriate scrutiny through the formal consultation process and further engagement with public bodies, with no negative indications from those consultations.

Question 1.6: Have the requirements for Strategic Environmental Assessment been met?

The Council has incorporated the requirements for Strategic Environmental Assessment (SEA) within its Sustainability Appraisal (SA). Further information on how the SA prepared for the WLPPR satisfies the requirements for SEA can be found in the Regulation 19 SA Report (**SD003**).

Please see response to Question 1.5 for further information on how the WLPPR met the legal requirements for SA, incorporating SEA.

Habitats Regulations Assessment

Question 1.7 - Would the new policies in the WLPPR have any significant adverse effect on sites of ecological importance as defined in the Conservation of Habitats and Species Regulations 2017? Has any concern been raised by Natural England?

The Council has prepared a Habitat Regulations Assessment (HRA) to accompany both the Regulation 18 and Regulation 19 versions of the WLPPR (**SD018** and **SD004** respectively).

The Regulation 18 HRA took the form of an initial screening assessment. The Regulation 18 HRA considered whether the scope of the WLPPR, in itself, or in combination with other plans, will adversely affect the integrity of Wimbledon Common and/or Richmond Park Special Areas of Conservation (SACs). The rationale for screening out potential impacts upon other protected habitat sites is set out in the Regulation 18 HRA and is consistent with both the Integrated Impact Assessment of the Wandsworth Local Plan Revised Scoping Report (December 2018) which supported the 2023 Adopted Plan, and the advice of Natural England.

The Regulation 18 HRA concluded that the scope of the WLPPR was not likely to have an adverse impact on Wimbledon Common or Richmond Park SACs as the policies themselves would not lead to development.

No representations were received at the Regulation 18 stage which raised concern over the HRA Screening Report. A response raising no comments was received from Natural England.

Throughout the preparation of the WLPPR, the Council has sought to constructively and meaningfully engage with Natural England on matters including the preparation of the HRA. As set out in the appendix to the Statement of Common Ground agreed between the parties (**SOCG02**), the Council met with Natural England on 6th June 2024 and again on 24th October 2024 during which Natural England confirmed they considered the approach to HRA to be valid and that they considered the main effects upon habitats to arise from site allocations or housing figures which they acknowledged were not within scope of the WLPPR and had already been assessed through the 2023 adopted Local Plan. Natural England also confirmed in these meetings that they considered the HRA's methodology to be appropriate and to be laid out clearly. Where Natural England gave specific advice to the Council, this advice was followed in the preparation of the subsequent Regulation 19 HRA.

The Council subsequently prepared and published a HRA to accompany the Regulation 19 consultation version of the WLPPR (**SD004**). The Regulation 19 HRA built upon and updated the assessment carried out at the Regulation 18 stage in the form of assessing the publication version of all six policies within scope of the WLPPR for their potential impacts upon protected habitat sites at Wimbledon Common SAC and Richmond Park SAC. Consistent with previous assessments and Natural England advice, no other habitat sites were taken forward for assessment due to there being no impact pathway upon these sites.

The Regulation 19 HRA concludes that the HRA has not identified any likely significant effects or impacts on the integrity of any European Site. This is largely because the proposed policies are not anticipated to result, themselves, in the delivery of any additional housing (or other development) but rather relate to the type of housing to be delivered. Likewise, based on the scope of the WLPPR policies, and those in other authority areas, the Regulation 19 HRA concluded there would be no likely significant 'in combination' effects resulting from the WLPPR, and as such an appropriate assessment is not required.

No representations relating to the HRA or habitat sites were received at the Regulation 19 stage. Natural England responded in February 2025 confirming it had no comments to make.

The Statement of Common Ground agreed between the Council and Natural England (**SOCG02**) includes the following statement:

iv. The parties which are signatories to this Statement consider that the regulatory assessments, including the Habitat Regulations Assessment, have been undertaken appropriately in accordance with legislation and guidance

Having appropriate regard to the HRAs prepared by the Council, the advice of Natural England, and the lack of indications otherwise, the Council is confident that the policies within the WLPPR would not have any significant adverse effect on sites of ecological importance.

Equalities Impact Needs Assessment

Question 1.8 - Has due regard been given to the aims set out in Section 149 of the Equality Act 2010 to advance equality of opportunity for those with protected characteristics?

Yes, the WLPPR has been informed by Equality Impact Needs Assessments prepared at both the Regulation 18 (**SD019**) and Regulation 19 (**SD007**) stages.

The Council is subject to the Public Sector Equality Duty (PSED) set out in Section 149 of the Equality Act 2010, which requires public authorities to have due regard to

equality considerations when exercising their functions. In exercising the PSED, the Council routinely prepares Equality Impact Needs Assessments (EINAs) to inform decisions being made. These EINAs provide a framework for assessing the impacts, whether positive or negative, that potential decisions may have on advancing equality of opportunity for those with protected characteristics. The Council takes its duties under the PSED extremely seriously.

At the Regulation 18 stage, an EINA was prepared (**SD019**) which identified that the potential changes being considered as part of the WLPPR had the potential to positively impact many groups, including younger people and people suffering from economic deprivation. For other groups, and in light of the narrow scope of the WLPPR, the EINA found that a neutral or no impact would occur.

As the WLPPR progressed, the Council commissioned and prepared evidence to inform the development of detailed policies.

The HNA identifies the stark scale of affordable housing need in the Borough, up to 23,601 affordable homes out of a total supply of 26,315, and a severe affordability crisis facing Wandsworth residents.

The HBP brings together key evidence, statistics and research to analyse and evaluate the relationship between the matters being considered as part of the WLPPR and socioeconomic outcomes for communities, including those with protected characteristics. Those with protected characteristics are disproportionately likely to experience deprivation and require support accessing housing. The HBP identifies that meeting the Borough's long-term need for social rented housing is inextricably linked to avoiding negative life outcomes for Borough's residents. The independent Marmot Review (2010) found housing to be a "social determinant of health", meaning it can affect physical and mental health inequalities throughout life. There is a wide range of evidence linking the importance of a stable, permanent home with a variety of quality-of-life determinants, including health, education, job prospects, skills, and equality. Ultimately, the consensus is that a lack of a stable, permanent home makes it much harder for people to build social networks and communities, interact with the services they require and benefit from stable employment or education.

At the Regulation 19 stage, the EINA (**SD007**) prepared, found that the policies proposed as part of the WLPPR would have a range of positive impacts for those with protected characteristics, including age, disability, race/ethnicity, intersectional groups and socio-economic status, and neutral or no impacts on other groups. These positive impacts are largely realised as a consequence of greater availability of affordable, and particularly social rented housing, providing means for those living in deprivation or with specialist needs to access permanent homes and the

consequential positive socioeconomic impacts this generates. A full analysis is set out in the Regulation 19 EINA.

Overall, the Council's view is that the policies proposed as part of the WLPPR have had due regard to Section 149 of the Equality Act 2010, having been informed by a range of evidence and iteratively prepared EINAs which have found the WLPPR to generate a range of positive or neutral impacts upon those with protected characteristics. The Council has not identified any negative impacts from the WLPPR which would harm the advancement of equality of opportunity for those with protected characteristics, nor have any specific representations been received which challenge the conclusions of its EINA.

Climate Change

Question 1.9 - Do the new policies in the WLPPR contribute towards the mitigation of, and adaptation to, climate change?

The WLPPR does not itself contain policies that explicitly address the mitigation of, and adaptation to, climate change. Rather, the WLPPR would partially supersede but otherwise sit alongside the adopted Wandsworth Local Plan 2023 and London Plan to make up the development plan for Wandsworth.

The 2023 Local Plan (**SD026**) contains a large number of policies which positively address climate change in the context of the plan's overall strategy for development, and other legal and policy requirements. The main strategic policy of the 2023 Local Plan relating to climate change is Policy LP10 (Responding to the Climate Crisis). Policy LP10 sets out, amongst other things, how developments will be required to achieve high standards of sustainable design and construction to mitigate the effects of climate change and adhere to the Council's overall climate change ambitions as outlined by the Wandsworth Environment and Sustainability Strategy 2019 -2030², alongside a range of detailed requirements relating to matters such as energy efficiency, construction methods, waste, flooding and biodiversity. This policy was examined and found to be sound as part of the 2023 Local Plan and is still considered to provide an effective approach that did not require updating as part of the WLPPR.

Whilst the policies within the scope of the WLPPR do not explicitly address climate change, they are, nevertheless, considered to be compatible and supportive of the strategy and policies of the 2023 Local Plan. The WLPPR policies also align with those set out in the London Plan. As such, the Council is confident that, taken as a whole, the development plan for Wandsworth, inclusive of those policies included in

² [Wandsworth Environment and Sustainability Strategy \(2019\) by Wandsworth Council](#)

the 2023 Local Plan that would be retained, takes a sound and appropriate approach to the mitigation of, and adaptation to, climate change.

Flood Risk

Question 1.10 - Has a sequential, risk-based approach been taken to the location of development in the new policies in the WLPPR? Are there any reasonably available sites appropriate for the development proposed in the new policies that are in areas with a lower risk of flooding?

The WLPPR does not itself contain policies that spatially define appropriate locations or sites for development. Rather, the WLPPR would partially supersede but otherwise sit alongside the adopted Wandsworth Local Plan 2023-2038 (**SD026**) and London Plan 2021 (**SD025**) to make up the development plan for Wandsworth.

The 2023 Local Plan contains Policy SDS1 (Spatial Development Strategy) which sets out a clear spatial strategy for development in Wandsworth over the plan period to 2038 and defines the locations across which the London Plan-derived housing target will be met. This is supplemented by a number of detailed Area Strategy policies which set out how development and positive change will be realised as part of local strategies based on the characteristics and opportunities of different areas within the Borough. These Area Strategies are further supported by a number of site allocations which identify detailed requirements and expectations relating to development opportunities. Policy LP12 (Water and Flooding) of the 2023 Local Plan sets out detailed requirements in relation to flooding and water management, including, at Part E, to identify how the sequential approach will be applied in Wandsworth. Most importantly, the policy identifies that the Sequential Test has already been satisfied at the plan level for developments within Area Strategies and Site Allocations and certain other site types. These policies, and the 2023 Local Plan as a whole, were subject to Strategic Flood Risk Assessment and Examination in Public, and found to be sound and appropriate in the context of flood risk.

As above, the policies within the WLPPR do not spatially define or otherwise allocate locations or sites for development but rather relate to the type of development that comes forward on sites, and expectations upon that development. All types of development within scope of the WLPPR fall within the same 'more vulnerable' classification of flood risk vulnerability and there is no likelihood of increasing the amount of development that comes forward in higher vulnerability classifications. As such, there are considered to be no flood risk implications to the policies within the WLPPR.

It is the Council's view that, whilst these matters are not within the scope of the WLPPR, the Council is confident that, taken as a whole, the development plan for Wandsworth, inclusive of those policies included in the 2023 Local Plan that would

remain in place, takes a sound and appropriate sequential, risk-based approach to the location of development.

Consistent with National Policy

Does the WLPPR accord with national policy for plan making in the NPPF, specifically:

Question 1.11 - Does the WLPPR contribute to the achievement of the three dimensions of sustainable development – economic, social, and environmental?

The National Planning Policy Framework (NPPF) advocates for a planning system that contributes to the achievement of sustainable development. There are three overarching, independent and mutually supportive objectives within this – economic, environmental and social – which mean opportunities for net gains can be taken across all three.

The NPPF has, at its heart, a presumption in favour of sustainable development. This does not, however, change the status of the development plan as the starting point for decision making. Plan making is required to apply a presumption in favour of sustainable development and promote a sustainable pattern of development that meets the objectively assessed housing and other needs of an area whilst aligning growth and infrastructure, improving the environment and mitigating / adapting to climate change.

The WLPPR has a relatively limited scope, relating to just six housing policies. It would partially supersede but otherwise sit alongside the adopted Wandsworth Local Plan 2023-2038 (**SD026**) and London Plan 2021 (**SD025**) to make up the development plan for Wandsworth. The 2023 Local Plan sets out a positive strategy, vision and set of objectives for accommodating sustainable development and for managing the impacts of development (whether positive or negative) on the economy, social and environment. This positive strategy, vision and objectives, which have been examined and found sound as part of the 2023 Local Plan, would not be altered as part of the WLPPR.

The WLPPR is itself expected to contribute to the achievement of sustainable development. It does so by promoting sustainable development of the right type and by setting detailed requirements which ensure development comes forward in a way that optimises development outcomes against social, economic and environmental objectives. As set out above, the WLPPR has been iteratively informed by the Sustainability Appraisal process, which directly appraised the impact that the proposed policies would have on a range of social, economic and environmental objectives, with this appraisal directly informing the development of the policies

submitted as part of the WLPPR. Detailed justifications for the requirements of each of the policies, including how they address the requirements of the NPPF, are set out in the Council's Hearing Statements for each Main Matter.

Question 1.12 - Has it been positively prepared 'in a way that is aspirational but deliverable'? (Paragraph 16 of the NPPF)

As set out above, the WLPPR has a relatively limited scope, relating to just six housing policies. It would partially supersede but otherwise sit alongside the adopted Wandsworth Local Plan 2023-2038 (**SD026**) and London Plan 2021 (**SD025**) to make up the development plan for Wandsworth. The 2023 Local Plan sets out a positive strategy, vision and set of objectives for accommodating sustainable development across Wandsworth in excess of the Borough's London Plan-derived housing requirement. This positive strategy, vision and objectives, which have been examined and found sound as part of the 2023 Local Plan, would not be altered as part of the WLPPR, and it is the Council's view that the changes proposed as part of the WLPPR will not materially affect the ability for the adopted Plan's overall housing requirement to be met. The Council's latest Authority Monitoring Report (**SD029**) identifies a 7 year housing supply. Furthermore, although changes relating to housing need were made to the NPPF in December 2024, the WLPPR is itself being examined against the December 2023 version. The Council's view is that, until such time as the new London Plan progresses and begins to consider Borough-level housing targets, any suggestion of a future housing requirement for Wandsworth is purely speculative. This includes any consideration of its implications for future housing supply. Such matters are more appropriately addressed as part of any further review of the Wandsworth Local Plan, within which the policies that feature within the WLPPR may also be subject to review. Further analysis on matters including housing supply is set out in the HBP.

The policies within the WLPPR are themselves aspirational in that they seek to positively respond to high levels of affordable housing need, particularly the need for social rented housing, across the Borough. They are informed by a range of evidence, including the HNA, which identifies the stark scale of affordable housing need in the Borough, requiring up to 23,601 affordable homes out of a total supply of 26,315 homes, and a severe affordability crisis facing Wandsworth residents, with the minimum income needed for median private rents to be affordable for a one-bed property being £54,000, or for a lower quartile private rent to be affordable for a one-bed property being £48,000. These increase to £66,000 and £58,000 respectively for a two-bed property, or £86,000 and £74,000 for a three-bed property. By comparison, the median annual income for individuals is around £45,000, and the lower quartile income is around £29,000, which demonstrates the difficulty that many local people have affording local market rents, particularly households with only one predominant

worker or households with children requiring their own bedrooms. The HBP identifies the range of socioeconomic imperatives that demonstrate the need for aspirational policies to meet the Borough's affordable housing needs. A detailed justification for each policy, including in relation to the NPPF, is set out in the Council's Hearing Statements for each Main Matter.

The policies within the WLPPR are also deliverable. The policies have been subject to detailed viability testing, including as part of the WPVA and Site Testing. In summary, the viability evidence identifies that:

- A majority of the most likely development typologies can afford to meet a higher threshold of 40%, 45% or 50% such that the policies within the WLPPR would be effective and deliverable.
- The Council's policies maximise delivery of affordable housing by seeking the highest possible percentage on individual sites, in comparison to a reduced target tailored to the 'least viable' sites. Clearly evidence on viability needs to be considered alongside evidence of housing need and given the likelihood that a reduced target would deliver a lower overall affordable housing output, **the weight of combined evidence on affordable housing need and viability points to support for a 50% target.** It also allows for the maximisation of contributions across the significant number of development typologies which can viably deliver above the existing London Plan Fast Track threshold of 35% (Paragraph 6.15).
- The **outputs of the appraisals provide clear support for the shift in tenure mix from 50% social rent / 50% intermediate housing to 70% social rent and 30% intermediate housing**, as this change has a relatively limited effect in most scenarios (Paragraph 6.13).
- In relation to small sites, these sites will have benchmark land values towards the lower end of the range, which will mean that the; **"majority of most small sites should be able to accommodate the full financial equivalent of 50% affordable housing"** (Paragraph 6.19).

The HBP provides further detailed analysis and interpretation of the evidence in relation to deliverability. It identifies that a majority of the most viable site typologies represent the more common site types in the Borough's housing pipeline. Of the site typologies and locations that are unable to support the higher requirements, a majority of these would also not be viable at a lower threshold (e.g. the existing 35%) such that the proposed changes to the policies have no net negative effect, as in most circumstances if the threshold remained at 35%, these site types would still opt to use the Viability Tested Route. The HBP includes detailed analysis on matters, including precedent schemes, housing supply, the role of grant and the role of direct delivery, which further demonstrate the deliverability of the proposed policies.

Detailed analysis of the deliverability of each policy in the context of the evidence base is set out in the Hearing Statements for each Main Matter.

Question 1.13 - Is the WLPPR consistent with the NPPF in all other respects? Or if not, what is the justification for any inconsistency?

The Council considers the WLPPR to be consistent with the NPPF in all other respects but notes two specific areas where the WLPPR policies proposes to take a locally justified approach.

Vacant Building Credit

The first is in relation to the disapplication of Vacant Building Credit (VBC) within Policy LP23, which is referenced in Paragraph 65 of the NPPF (Dec 2023). The Mayor's Affordable Housing and Viability Supplementary Planning Guidance identifies at Paragraph 16 that "the intention of the Government's policy is to bring forward sites containing vacant buildings which would not otherwise come forward for development. However, in London such sites already come forward for development. Furthermore, their affordable housing requirements are already subject to viability testing and thus are not preventing sites from coming forward. The Mayor's view is therefore that **in most circumstances in London it will not be appropriate to apply the vacant building credit.**"

Likewise, the HNA identifies, at Paragraph 4.106 that, "Vacant building credit is designed to encourage the redevelopment of abandoned properties in areas with market failures. Wandsworth does not have market failure, so does not accept vacant building credit as it seeks to develop its own affordable housing to prevent young households leaving the borough."

VBC offers an incentive to building on previously developed land. Developable land in Wandsworth is almost exclusively previously developed and such land has come forward in Wandsworth in recent years well in excess of housing targets across the same period, without the need for this incentive. As a result, there is no justification for an incentive to encourage previously developed land to be delivered. To allow VBC, other than in exceptional circumstances, would lead to an unwarranted reduction in affordable housing delivery which is harmful to the need to maximise affordable housing delivery in the Borough. Any developments which cannot meet affordable housing requirements can still achieve planning permission through the Viability Tested Route, and, indeed, Paragraph 4.5.15 of the London Plan establishes that developments claiming VBC are, in any case, ineligible for the Fast Track Route. The Council's approach is consistent with that taken in its adopted 2023 Local Plan, which found the disapplication of VBC, other than in certain defined circumstances as set out in Policy LP23, to be justified and sound.

The justification for disapplication of VBC is set out in further detail in the Council's statement relating to Main Matter 2.

Affordable Housing from Small Sites

The second is in relation to seeking affordable housing contributions from residential developments that are not major developments, also identified in Paragraph 65 of the NPPF. Requiring an affordable housing contribution from small sites is considered to be justified on the basis of the high local need for affordable housing and the viability headroom available that exists in small site developments in Wandsworth to make an affordable housing contribution. Whilst the Council recognises that the intention of exempting small sites from affordable housing contributions is to avoid a disproportionate burden on the viability and deliverability of small sites, it considers that the circumstances that exist in Wandsworth are such that the evidence available demonstrates an affordable housing contribution from small sites is justified and achievable and that any burden would be minimal and, in any case, not disproportionate.

As set out in Section 16 to the HBP, the construction of the Council's policy is similar to a large number of other London-based Local Plans which have also been justified on the basis of high local need. There is a clear precedent across London that high local need may justify an approach which does not accord with national policy relating to small site affordable housing contributions. The value of the proposed small site contribution has been calculated using a recommended formula derived from the WPVA which found that "most small sites should be able to accommodate the full financial equivalent of 50% affordable housing" (Paragraph 6.19). The derivation of the value, and the components of this formula, is set out clearly in Section 16 to the HBP.

It is the Council's intention to apply any small sites viability assessment process proportionately, in light of the need to avoid delays or administration that is disproportionate to the size of site or wider costs of delivering the site. By taking a simple, evidence-based approach to establishing the value of the small site contribution and applying a proportionate viability assessment process for those sites which cannot viably provide that contribution, the Council does not consider that there will be a material impact on small sites' delivery in the Borough. Further information on the application of the small sites viability assessment process would be set out in a planned Affordable Housing SPD.

The justification for seeking affordable housing contributions from residential developments that are not major developments is set out in further detail in the Council's statement relating to Main Matter 2.

Other Matters

The Council is aware of a number of representations received at the Regulation 19 stage that suggest unsoundness on the basis of inconsistency with the NPPF. These include, but are not limited to:

- LP23 – 42, 43, 44, 46, 61, 95, 100, 105, 115
- LP24 – 125, 139, 144
- LP28 – 146, 147, 148, 156, 159
- LP29 – 161, 162, 170
- LP30 – 176, 178, 189
- LP31 – 197, 200

In a majority of cases, these representations cited inconsistency with national policy as part of a wider blended argument which included other tests of soundness or did not specifically identify which parts of national policy the WLPPR was inconsistent with. The Council's response to all representations received, including those listed above, is set out in Appendix 3F to the Statement of Consultation (Submission Version) (**SD010a**) and a detailed justification for each policy, including in the context of consistency with the NPPF, is set out in the Council's Hearing Statements for each Main Matter.

Question 1.14 - Do the policies in WLPPR provide a clear indication of how a decision maker should react to a development proposal?

Yes, the policies in the WLPPR provide a clear indication of how a decision maker should react to a development proposal. They are deliberately set out in a way that sequentially list criteria that must be met in order for a development to be considered acceptable. The Council has sought to use standardised and non-technical terminology wherever possible, and to the greatest extent possible in a way that is consistent with the 2023 Local Plan and London Plan 2021, with any technical terminology defined in the Local Plan's glossary. A significant portion of the wording in policies proposed as part of the WLPPR mirrors policies adopted within the 2023 Local Plan which have already been subject to examination and found sound in their current form, including subject to any modifications identified through that examination.

Overall, the Council considers the WLPPR accords with Paragraph 16 of the NPPF which requires, amongst other things, plans to contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals. The Council has assessed the clarity and intent of the policies using the PAS Soundness Self-Assessment Checklist (**SD011**), including Questions 42 to 50, which directly address these matters.

The Council also considers the WLPPR to be designed in a way that complements and conforms to the overall structure of the 2023 Local Plan, including by directly superseding named and numbered policies with corresponding named and numbered policies, which will aid in its usability and overall navigability as one part of a wider development plan.

As part of the Regulation 19 consultation, the Council considered and reviewed each of the representations made, including any suggested modifications put forward by representors. These representations and the Council's response is set out in Appendix 3F to the Statement of Consultation (Submission Version) **(SD010a)**. As part of this process, and in a small number of instances, the Council has identified opportunities to amend or add wording to the Publication version of the WLPPR **(SD001)** to assist in clarification or clarity, as set out in a Schedule of Proposed Modifications Suggested by the Council **(SD015)**. The Council is happy to work with the Inspector to understand whether they consider such modifications, or others, are necessary to improve the clarity of any policies within the WLPPR.