



# Wandsworth Council

## Local Plan Publication (Regulation 19) Version

### Schedule of Proposed Modifications Suggested by the Council

Version 1.0   April 2025

#### Background

The following table is a schedule of Proposed Modifications that have been prepared by Wandsworth Council either in response to the representations received as part of the Regulation 19 consultation of the Local Plan Partial Review held between 13 January 2025 and 24 February 2025, or as identified by Council officers after the publication of the Local Plan Partial Review for consultation.

This document is intended to serve as a ‘live document’ and will be updated with any further modifications that are proposed by the Council, for example, as a result of further Statements of Common Ground agreed with representors. These and other documents referred to can be found in the Examination Library.

Please note: Where the Council has suggested a change, this is provided only for the benefit of the Planning Inspectors. The Council does not have the power to make changes to the Local Plan at this stage and it can only be recommended by the Planning Inspectors to do so as Main Modifications should they consider it to be an issue of soundness or legal compliance in accordance with Section 20(7C) of the Planning and Compulsory Purchase Act 2004. Discussion of whether suggested changes are considered as Main Modifications is expected during the Examination. The Council may also make additional (minor) modifications to the plan on adoption, but only if they do not materially affect the plan’s policies. Some of the modifications listed below are capable of being defined as additional modifications but are identified here in the interests of clarity. This does not preclude the need for or ability of the Council to make further additional modifications at a later stage, where justified.

#### How to use this document

- The items below are set out in the order of the Local Plan, as identified under the heading ‘Policy Reference’. The Proposed Pre-Hearing Additional Modifications take the format that proposed additions to the text are recorded in highlighted and underlined text, and proposed deletions are recorded with a highlight and strikethrough. For example: This text is to be retained and this text is to be added ~~but this text is to be deleted~~.
- Policy and Paragraph Numbers are those set out in the Publication (Regulation 19) Local Plan published for consultation on 13 January 2025 (Submission Document SD001).
- The column Response Reference identifies representations which are considered directly relevant to the proposed modification, typically as they seek to address a concern or suggestion raised in the representation. It is recognised that this process requires a degree of judgement and that the proposed modifications may also help to indirectly resolve concerns or suggestions raised in other representations not listed in this column. It is therefore recommended that the proposed modifications are read in the context of the Full Representations set out in Submission Document SD010a.

Modification Reference	Policy Reference	Policy or Paragraph Number	Response Reference	Proposed Modification	Reason for Modification
M23/1	LP23 (Affordable Housing)	Paragraph 17.11	Mr Angus Robertson (REP085); Battersea Society (REP105).	<p>The affordable housing policy applies to all new housing developments, including new builds changes of use to wholly residential and mixed-use sites incorporating residential use, where planning permission is required. Given the high level of need for affordable housing in the borough, the Council's priority is to maximise the delivery of general-needs social rented housing. Where forms of housing are proposed which do not contribute to this need, they will only be considered appropriate if they meet a demonstrable and specific local need, which is supported by a clear evidence base. Furthermore, proposals which propose the loss of existing affordable housing will not be acceptable unless applicants can clearly demonstrate that the loss of this affordable housing would facilitate the reprovision of at least the equivalent amount of affordable housing overall, by numbers of dwellings and/or habitable rooms, and an overall increase in the number of social rented dwellings and/or habitable rooms. The Council will look to secure this within permissions and legal agreements as appropriate.</p>	In response to representations, this modification would provide additional clarity over the interpretation of the phrase 'net uplift' in the context of Policy LP23
M23/2	LP23 (Affordable Housing)	Part B.	Battersea and Wandsworth Trades Union Council (REP069)	<p>Developments delivering between 1 and 9 residential dwellings (gross) are required to provide a financial contribution to support the delivery of affordable housing in the borough. The level of contribution required will be £50,000 per unit on a gross basis (subject to indexation), unless at least 15% of the units would be provided as affordable housing on-site.</p>	<p>This modification would resolve a potential anomaly in Policy LP23 whereby developments between 1 and 9 residential dwellings would potentially be expected to provide a financial contribution towards affordable housing irrespective of whether the proposal proposes to deliver affordable housing units on-site. This modification would establish an equivalency principle between on-site and financial contributions to improve the effectiveness of the policy.</p>
M23/3		Paragraph 17.14		<p>For the purposes of Policy LP23, 'small sites' are those which deliver between 1 and 9 dwellings (gross). It is recognised that on-site delivery of affordable housing would be difficult to achieve for a majority of small sites and so the policy envisages that affordable housing contributions from small sites will primarily take the form of a financial contribution. All small sites will be required to make a financial contribution of £50,000 per gross dwelling, subject to viability. However, in circumstances where it is proposed that a small site development would incorporate affordable housing on-site, no financial contribution will be required as long as at least the equivalent percentage of units (15%) would be provided as affordable housing on-site. Small site developments providing affordable housing on-site below the equivalent percentage of units (15%) will need to make a financial contribution equivalent to the difference between what is proposed and the equivalent percentage of units. All financial contributions will be indexed annually in line with the Community Infrastructure Levy using the BCIS All-in tender price index, and the level will be assessed on the validation date of a planning application and secured through a legal agreement.</p>	

<b>M23/4</b>	<b>LP23 (Affordable Housing)</b>	Paragraph 17.17	Wandsworth Council	<p>Intermediate housing within the borough includes Shared Ownership and London Living Rent. <b>Intermediate housing should be delivered in compliance with the Council's Intermediate Housing Policy. The Council's latest affordability criteria and priority allocation for intermediate housing is included within the Council's Intermediate Housing Policy and annual Affordable Housing Update Report.</b> The Council's priority within this tenure is to deliver intermediate housing as London Living Rent as this tenure caters for households on a lower relative income. Applicants will need to justify to the Council where other forms of intermediate housing are proposed, including on viability grounds, particularly if the number of social rented units proposed are impacted. Shared Ownership is unaffordable to a majority of local residents with affordable housing needs and will therefore only be accepted if it facilitates the delivery of a higher number of social rented dwellings and/or habitable rooms and this will need to be clearly set out to the Council as part of any planning application.</p>	<p>In response to the plan-making reforms, February 2025, where it is confirmed that reforms will remove the role of Supplementary Planning Documents where the affordability criteria is normally referred to, the Council therefore considers it prudent to include this reference within the supporting text of the plan.</p>
<b>M23/5</b>	<b>LP23 (Affordable Housing)</b>	Paragraph 17.18	Watkin Jones (REP009)	<p>The Council's Fast Track Route has a minimum threshold of either 45% or 50% by habitable room depending on the type of site. Fast-tracked applications that provide between 45-50% affordable housing by habitable room, with the specified tenure mix within the policy, will not be required to submit viability information at the planning application stage. However, they will be subject to an early and late-stage review, <b>with a Mid-stage reviews may also be applicable at the discretion of the Council on large multi-phased developments.</b></p>	<p>In response to representations, this modification would clarify the role of mid-stage reviews in relation to Policy LP23 and resolve apparent inconsistencies between Part D.2 of the policy, Paragraph 17.18 of the supporting text and the London Plan.</p>

<b>M23/6</b>	<b>LP23 (Affordable Housing)</b>	Paragraph 17.20	Watkin Jones (REP009); Southern Housing (REP042)	<p>Applicants will be expected to demonstrate that all opportunities to secure public subsidy to deliver a greater number of affordable homes have been taken, particularly for any applications which are unable to achieve 50% without subsidy. This should include proactive and ongoing engagement with <b>both the Council and</b> Registered Providers at the earliest opportunity. <b>The Council will support applicants to understand what public subsidy options may be available to them. Applicants should provide evidence with their applications to identify what public subsidy options have been sought and secured, and demonstrate the reasons why other public subsidy options have not been sought or secured. Evidence would include clear records of correspondence, meetings or applications with the Council, Registered Providers and/or funding providers.</b> Public subsidy would include, but is not limited to, any form of grant and loan from a public body, land received at zero or discounted value, and other funding sources available to Registered Providers such as rent receipts, receipts from sale of land, sale of shared ownership properties or similar products, and other funding a Registered Provider may provide. Applicants must make clear the level of affordable housing that can be achieved with and without subsidy as part of any application. <b>Guidance on use of public subsidy will be included in the Affordable Housing SPD and any successor document.</b></p>	In response to representations, this modification would provide additional clarity over the interpretation of Part E of Policy LP23 which requires applicants to demonstrate how all potential public subsidy options for maximising affordable housing have been utilised.
<b>M23/7</b>	<b>LP23 (Affordable Housing)</b>	Paragraph 17.23	Watkin Jones (REP009); Southern Housing (REP042)	<p><b>The Council understands that securing a Registered Provider is a fundamental part of affordable housing delivery in most cases. Registered Providers are more likely to bid for affordable housing if they are engaged early. As a result,</b> the Council will expect all developers to ensure that they identify and seek the Council's approval of a Registered Provider to support the delivery of affordable housing on site at the time of submission of a planning application. <b>Applicants should seek to evidence this through providing records of discussions, meetings or agreements that have taken place.</b> To confirm on-site deliverability and/or establish notional values of affordable units which reflect local housing market conditions, evidence should be provided of discussions with at least the Council's preferred Registered Providers (RPs), or any other RPs recommended by the Council (Not for Profit and demonstrating a high standard of management). <b>In exceptional cases where applicants can demonstrate it has not been possible to secure a Registered Provider early, this must be demonstrated through the provision of clear evidence. More guidance will be set out in the Affordable Housing SPD and any successor document.</b> The onus will be on applicants to pay for any viability assessment if the proposal is not policy compliant and any cost of independent assessment. If build costs need to be assessed, then applicants will also need to pay for these to be reviewed by an independent Quantity Surveyor</p>	In response to representations, this modification would provide additional clarity over the interpretation of requirements within Part A.2. of Policy LP23 which expects applicants to provide evidence of meaningful discussions with Registered Providers which have informed the proposal.

M23/8	LP23 (Affordable Housing)	Paragraph 17.24	St George's Plc (REP111); Battersea & Wandsworth Trades Union Council (REP069)	All viability tested applications, and schemes which have been re-submitted for the Council's consideration where the original permission did not meet the threshold or required tenure split, will be subject to the inclusion of early, mid and late-stage review mechanisms at appropriate stages/ milestone(s) of the construction period. <b>This requirement would generally not include non-material amendments but may include applications to vary conditions where the application of affordable housing policy is relevant.</b> Where reviews are required, these will be expected to follow the formula set out in the London Plan unless otherwise agreed by the Council.	In response to representations, this modification would clarify the interpretation of "re-submitted" in the context of Paragraph 17.24, specifically to acknowledge that non-material amendment applications would not trigger additional early, mid or late-stage review mechanisms.
M23/9	LP23 (Affordable Housing)	Paragraph 17.25	TfL Places for London (REP087)	Affordable housing will be secured on-site by way of a legal agreement. To incentivise developers to build out their permissions in a timely manner, an early-stage review will be inserted into all legal agreements securing affordable housing with a trigger date of 24 months after the date of the decision. <b>Other than where agreed through the Viability Tested Route,</b> the Council will strongly resist any development which provides less than a policy compliant offer of affordable housing on site	In response to representations, this modification would clarify that developments providing affordable housing below the full requirements of the policy will not be resisted provided that this is agreed through the Viability Tested Route.
M24/1	LP24 (Housing Mix)	Part E.	George Potter House of Battersea (REP051); VSM (NCGM) Ltd. (REP115)	<i>[New bullet point]</i> <b>5. In the case of specialist forms of housing falling within Use Class C3, the particular need for that form of housing where this is shown to differ to the preferred housing mix.</b>	In response to representations, this modification would allow proposals for specialist accommodation to evidence a housing mix need that differs from the preferred housing mix set out in the policy.
M28/1	LP28 (Purpose Built Student Accommodation)	Part A.1.	Watkin Jones (REP009); VSM (NCGM) Ltd. (REP115); Downing (REP024); Battersea Society (REP105); Mr Peter Carpenter (REP016); Leonie Charmes (REP022); Ballymore Group (REP107)	Is proposed on a site which is <b>not allocated, identified or otherwise</b> suitable for conventional housing	In response to representations, this modification would clarify the interpretation of Policy LP28 with respect to Part A.1., to provide more specific tests for establishing the suitability of sites for Purpose-Built Student Accommodation.  Corresponding modifications are proposed to the supporting text to provide additional clarity over the justification and interpretation of Part A.1.
M28/2		Paragraph 17.44		In exceptional circumstances where a student housing development is considered <b>appropriate proposed</b> on a site which <b>is suitable for could accommodate some</b> conventional housing, the equivalent level of affordable housing as required by Policy LP23 <b>should may instead</b> be provided as a separate block on the site as part of the scheme and phased accordingly	
M28/3		Paragraph 17.45		Proposals for new student accommodation which will prioritise supporting HEPs (Higher Education Providers) located within Wandsworth will be accepted on sites that are <b>not allocated, identified or otherwise</b> suitable for conventional housing, such as a site located within an existing HEP campus, where conventional housing would be inappropriate. <b>To avoid undermining the Council's ability to meet its need for conventional housing, the Council will generally resist proposals to develop PBSA on sites, or within area strategies, where this would harm the ability for the envisaged quantum of conventional housing to come forward. The Council will have</b>	

				regard to specific site allocation and area strategy policies, and its published housing trajectory, in applying this part of the policy.	
<b>M28/4</b>	<b>LP28 (Purpose Built Student Accommodation)</b>	Paragraph 17.43	Watkin Jones (REP009); VSM (NCGM) Ltd. (REP115); Downing (REP024); Greater London Authority (REP108); Leonie Charmes (REP022); TfL Places For London (REP087)	The financial contribution should be calculated on the basis of the difference between the Gross Development Value including the relevant policy requirement of affordable habitable rooms, and the Gross Development Value of the scheme with no affordable habitable rooms provided, subject to viability. <b>Developments must provide a fully compliant contribution to both affordable student housing and conventional affordable housing to be eligible for the Fast Track Route set out in Policy LP23 (Affordable Housing). Where a development cannot viably provide a policy-compliant contribution towards both affordable student housing and conventional affordable housing, applicants must provide viability evidence in line with Policy LP23. Developments will be expected to first maximise their contribution towards conventional affordable housing, and any surplus above reaching full policy-compliance to conventional affordable housing should be used to then maximise their contribution towards affordable student housing. More guidance will be set out in the Affordable Housing SPD and any successor document. Proposals for student accommodation should ensure that this financial contribution is prioritised</b>	In response to representations, this modification would clarify how the affordable housing requirements within the policy would support the Fast Track Route set out in Policy LP23 and the London Plan, and provide additional clarity on the Council will interpret the policy where developments cannot viably provide a fully policy-compliant contribution towards both affordable student housing and conventional affordable housing. In particular, the modification would establish a clearer prioritisation between the two which will improve the policy's effectiveness.
<b>M28/5</b>	<b>LP28 (Purpose Built Student Accommodation)</b>	Part A.8.	Downing (REP024); Leonie Charmes (REP022)	8. Can make facilities provided for student residents available to the wider community, <b>where feasible</b> , particularly where there is an acknowledged shortfall in such provision within the neighbourhood;	In response to representations, this modification would clarify Part A.8. of the policy to make clearer that making facilities available to the wider community will be subject to feasibility, acknowledging a concern raised by some representors that safeguarding considerations restrict the ability to make certain facilities available to the public.
<b>M30/1</b>	<b>LP30 (Build to Rent)</b>	Part A.1.a.	Greater London Authority (REP108)	Where a development has potential to include more than one residential core and/or block, applicants should use this separate core and/or block to provide low cost rented housing to be managed by a registered provider. To follow the Council's Fast Track Route, 70 per cent of the overall affordable housing requirement should be provided as social rented units within this separate core and/or block, with the remaining 30 per cent at a range of <b>genuinely affordable intermediate</b> rents to meet priority housing need in Wandsworth	In response to representations, this modification would make it clearer that the remaining 30 per cent of affordable housing required under Policy LP30 should be available at a range of intermediate rents, in line with the London Plan.
<b>M31/1</b>	<b>LP31 (Specialist Housing for Vulnerable People and Older People)</b>	Part A.	George Potter House of Battersea (REP051); Battersea Society (REP105); Southern Housing (REP042)	Where the loss <b>of</b> existing specialist and supported housing is proposed and satisfies the requirements of Part A, proposals for re-use or re-development of this housing will be supported where they would <b>contribute to meeting deliver</b> another <b>form of priority</b> housing <b>for which there is an identified</b> need (including social rent)	In response to representations, this modification would clarify the interpretation of Part A of Policy LP31 in relation to the phrase "priority housing", in particular to insert a clearer test for proposals relevant to this clause.  A corresponding modification to the supporting text is also proposed to improve the effectiveness of the policy.

M31/2		Paragraph 17.71		<p>This policy seeks to resist the loss of various forms of specialist accommodation so that the level of provision in the borough is not reduced. However, the Council recognises the changing nature of care provision for older, vulnerable and homeless people. Where existing specialist accommodation does not meet modern standards or local need, the Council will support its re-provision or modernisation to ensure the provision of high-quality specialist accommodation which better meets the needs of older, vulnerable and homeless residents. The particular circumstances of each site will be taken on its own merits when considering the Council's preference for no net loss of existing floorspace. <u>Proposals to re-use or re-develop specialist housing will be expected to prioritise the use of the site to deliver other forms of housing for which there is an identified local need, with particular emphasis on contributing towards genuinely affordable housing and social rented housing.</u></p>	
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