

Appendix 2: Assessment of the Herne Hill Forum application against statutory requirements

Table 1: Neighbourhood area requirements

Neighbourhood Area Requirements under the Neighbourhood Planning Regulations 2012 and Town and Country Planning Act 1990	Complied with?	Officer comment
No overlap with another designated neighbourhood area and where a neighbourhood forum is the applicant, no overlap with the area of a parish council	Yes.	No such overlaps.
A map which identifies the area to which the area application relates	Yes.	A map of the neighbourhood area applied for is contained in Appendix 1.
A statement explaining why the area is considered appropriate	The justification put forward by the HHF for the designation of the whole area in the application is not accepted.	<p><i>Summary of the statement</i></p> <p>The application form contains a statement explaining why the proposed neighbourhood area is considered appropriate. It states that:</p> <ul style="list-style-type: none"> • The proposed area encompasses more than 16,000 residential addresses (Census 2011) and over 200 businesses, mainly in the centre of Herne Hill and industrial estates along Milkwood Road. The boundary surrounds the Town Centre of Herne Hill as well as the Hill itself and therefore spans the borough boundary between Lambeth and Southwark. • The boundary was developed through an iterative process starting with ward boundaries and the SE24 postcode area, supplemented by local surveys asking people where they felt they lived, plus successive meetings and negotiations with a range of local groups and community organisations, council officers, and ward members. • At some points the boundary falls naturally along roads and railway lines which act as a barrier to communities. Elsewhere the

boundary has been developed following discussions with neighbouring forums and other groups.

- Care has been taken to ensure the boundary does not separate properties from their gardens; to go down the middle of roads where appropriate; and to ensure that the characteristics of the residential buildings are of a consistent scale and style.
- The boundary has been significantly adjusted by the Forum to incorporate feedback and that the Forum have reached compromises with neighbouring forums that go some way towards meeting different groups' priorities.
- It is recognised that the northern boundary includes a large part of the Loughborough Junction master plan area but that this is considered justified on the basis of information derived from surveys of people living in the area, asking them where they felt they belonged. Also, that in the opinion of HHF Loughborough Junction groups are not proposing to prepare a neighbourhood plan and that. The content of the Loughborough Junction masterplan, where it conforms to the objectives of the Herne Hill neighbourhood plan, could be included in the Herne Hill neighbourhood plan.
- In relation to Brixton, the boundary coincides with the ward boundary and that the Forum had received no formal response following engagement with the Brixton Society and Brixton Forum.

Officer consideration of the statement

The proposed neighbourhood area covers part of Loughborough Junction town centre in addition to Herne Hill town centre. The Loughborough Junction Action Group are active in this area. A Loughborough Junction masterplan is emerging that will inform emerging Local Plan review policy for Loughborough Junction town centre. Inclusion of part of the Loughborough Junction masterplan area (boundary as shown on the Council's

Loughborough Junction master plan webpage) within a Herne Hill neighbourhood plan would be confusing and would be likely to detract from a coherent policy approach to Loughborough Junction town centre.

The Milkwood Road Key Industrial and Business Area (KIBA) is included within the proposed area but there is no justification for its inclusion in the submitted statement. It is considered that this KIBA has a different character from the rest of the proposed neighbourhood area, which is principally either residential or town centre in nature

The proposed neighbourhood area includes Ruskin Park. Council information suggests that, based on proximity to surrounding housing, estates, transport hubs and facilities, Ruskin Park experiences over 500,000 visitors a year. The park is next to the King's College and South London and Maudsley hospitals and is well used by patients and their families as well as staff for breaks. It provides a route to/from the hospital and is a short cut to Denmark Hill train station and Camberwell/Loughborough Junction. Of visits to the park, an estimated 100,000 each year are by people who live in the area. It is estimated that 65% of regular users, including those commuting through, live in Lambeth (mainly in Herne Hill and Coldharbour wards) and the other 35% in Southwark. This information suggests that Ruskin Park is not solely an asset for Herne Hill residents but serves a significantly wider catchment. Herne Hill Forum's own evidence of those they asked shows mixed views among the people living in the area surrounding the park, with a number that identified with areas other than Herne Hill.

The proposed area includes streets around Acland Crescent, Deepdene Road, Porchester Close and Sunset Hill that are closer to Camberwell and Denmark Hill for local services and station access, than to Herne Hill. Again, the Herne Hill Forum's own evidence shows mixed views in this location, with a number that identified

		<p>with areas other than Herne Hill. The SE5 Forum are active in this area.</p> <p>The proposed area includes a site on Shakespeare Road, which is in use as a waste transfer site (and safeguarded for waste management in London Plan and Local Plan policy). The site proposed for inclusion has more of a relationship with the northern part of Shakespeare Road, which is not included in the proposed neighbourhood area. It is considered that the two railway lines provide a natural boundary at this point, separating sites on this part of Shakespeare Road from the rest of the proposed neighbourhood area, although it is acknowledged that some of the traffic accessing the site travels from Dulwich Road and under the railway line crossing Shakespeare Road. Development involving waste management uses is excluded from the remit of neighbourhood plans by legislation.</p> <p>In conclusion, it is considered that the statement provided does not adequately justify the proposed neighbourhood area as applied for in the locations set out above, and/or other planning considerations support a different boundary in these locations. These locations are areas F, G, H and I as shown on the map in Appendix 4.</p> <p>The statement submitted does appropriately justify the remainder of the area applied for.</p>
<p>A statement that states that the relevant body making the area application is a relevant body for the purposes of section 61G of the Town and Country Planning Act 1990</p>	<p>Yes.</p>	<p>The application contains this statement. An assessment of the Forum application is set out in Table 2.</p>

Table 2: Neighbourhood forum requirements

Neighbourhood Forum Requirements under the Neighbourhood Planning Regulations 2012 and Town and Country Planning Act 1990	Complied with?	Officer comment
There is not already a designated neighbourhood forum for the area proposed and the area does not include the whole or part of the area of a parish council.	Yes	There is no other designated neighbourhood forum covering any part of the neighbourhood area applied for and the area does not fall within the area of a parish council.
Name of the proposed Neighbourhood Forum.	Yes.	Herne Hill Forum.
The forum has a written constitution and a copy is provided.	Yes.	The written constitution is contained in Appendix 2 of the application (which is available at Appendix 1 of this report).
The name of the neighbourhood area to which the application relates and a map which identifies the area.	Yes.	Herne Hill neighbourhood area. A map of the neighbourhood area as applied for is contained in Appendix 1. A map of the neighbourhood area recommended for designation is in Appendix 5.
The contact details of at least one member.	Yes.	The contact details of one member are available in the application.
A statement to show the proposed forum is established for the express purpose of promoting or improving the social, economic and environmental wellbeing of an area that consists of or includes the neighbourhood area concerned.	Yes.	The Herne Hill Forum's written constitution states that the Forum has been created for the "express purpose of furthering the social economic and environmental wellbeing of Herne Hill, to include individuals living or wanting to live in the area, together with registered businesses and other organisations in an area defined but not limited to the Herne Hill neighbourhood" (paragraph 2.1). It goes on to state that "the Forum aims to give a voice to the residents and businesses of Herne Hill and to reflect their aspirations and concerns, to promote Herne Hill and in collaboration with the Boroughs of Lambeth and Southwark and with other relevant organisations and individuals, to work to sustain

Neighbourhood Forum Requirements under the Neighbourhood Planning Regulations 2012 and Town and Country Planning Act 1990	Complied with?	Officer comment
		and improve the area's economy and environment and the quality of life of its residents, businesses and visitors". (Paragraph 2.2).
A statement to show its membership must be open to individuals who live or work in the neighbourhood area or who are elected members in the borough.	Yes.	The Herne Hill Forum's written constitution states that its membership shall be open to any individual who lives, works or carries out business in Herne Hill and to any local representative group, organisation and business with an interest in Herne Hill, including ward councillors representing any part of the area and with a commitment to furthering the Forum's objectives.
A statement to show its membership includes a minimum of 21 individuals.	See Cabinet report paragraphs 2.54 to 2.56	The Herne Hill Forum has submitted a list of 21 members for the area applied for but this issue has been addressed in the body of the Cabinet report for the reasons explained there.
Each of whom: <ul style="list-style-type: none"> • Lives in the area concerned; or • Works in the area; or • Is an elected member of the borough Council 	See Cabinet report paragraphs 2.54 to 2.56	
Whether it has secured or taken reasonable steps to attempt to secure that its membership includes at least one individual who lives, who works and is an elected member.	Yes in relation to the area applied for by HHF – see also comments	The Forum does not contain a member who is an elected member of the borough. However, it is considered that reasonable steps have been made to attempt to secure membership that includes an elected member. The application states that local councillors have regularly attended the neighbourhood plan meetings. It

Neighbourhood Forum Requirements under the Neighbourhood Planning Regulations 2012 and Town and Country Planning Act 1990	Complied with?	Officer comment
	in the box above.	demonstrates that these councillors have been asked whether they wish to be members of the Neighbourhood Planning Working Group and that they confirmed that this was a suitable and satisfactory level of engagement and that it was not necessary for them to become a member of the Herne Hill Forum at this time.
Whether its membership is drawn from different places in the neighbourhood area and from different sections of the community in that area.	Yes in relation to the area applied for – see also comments in the box about minimum 21 members above.	Mapping of the members' postcodes demonstrates that the membership is drawn from different places in the neighbourhood area applied for and that members live and/or work in both Lambeth and Southwark. As part of their application, the Herne Hill Forum has provided a 'Herne Herne Neighbourhood census profile and the HHF Committee Profile' for their 21 members as applied for. It demonstrates that 43% of members are female and 57% are male and that the age range of the members ranges from 30 to 76. 86% of the membership are White and 15% are Black/African/Caribbean/Black British, with 62% of members being born in the UK and 38% born outside the UK. 53% of the members are economically active. 75% of the members are owner occupiers, 20% occupy social rented accommodation and 5% occupy private rented accommodation. On the basis of this information, it is accepted that the proposed 21 is drawn from different sections of the community in the neighbourhood area as applied for. It is not known how this analysis would change for the 18 members remaining within the smaller area recommended for designation.
Whether its purpose reflects (in general terms) the character of the neighbourhood area.	Yes in relation the area applied for.	Within the boundary of Lambeth, the character of the proposed neighbourhood area as applied for is predominantly residential, although a Key Industrial and Business Area is also included. In addition, the whole of Herne Hill District Town

Neighbourhood Forum Requirements under the Neighbourhood Planning Regulations 2012 and Town and Country Planning Act 1990	Complied with?	Officer comment
		<p>Centre also falls within the proposed area, spanning the borough boundary. The purpose of the Forum is set out in its written constitution as “furthering the social economic and environmental wellbeing of Herne Hill, to include individuals living or wanting to live in the area, together with registered businesses and other organisations in an area defined but not limited to the Herne Hill neighbourhood” (paragraph 2.1). It goes on to state that “the Forum aims to give a voice to the residents and businesses of Herne Hill and to reflect their aspirations and concerns, to promote Herne Hill and in collaboration with the Boroughs of Lambeth and Southwark and with other relevant organisations and individuals, to work to sustain and improve the area’s economy and environment and the quality of life of its residents, businesses and visitors”. (Paragraph 2.2). The purpose of furthering the social, economic and environment of Herne Hill for those living or wanting to live in the area reflects the area’s predominantly residential character. In addition, the aim of working to sustain and improve the area’s economy, environment and quality of life for its residents, businesses and visitors reflects the presence and character of the Herne Hill District Centre.</p>