

Item No. 6.1	Classification: Open	Date: November 4 2009	Meeting Name: Council Assembly
Report title:		Core Strategy Publication/Submission	
Ward(s) or groups affected:		All	
From:		Strategic Director of Regeneration and Neighbourhoods	

RECOMMENDATIONS

That the council assembly consider the recommendations of the Executive and:

1. Note the comments of the planning committee, the Government office for London and the Greater London Authority on the Core Strategy publication / submission version (appendix A) and the Executive's response to these comments as set out in this report.
2. Consider and agree the Core Strategy publication/submission version (appendix A) consultation plan (appendix B), consultation report (appendix C), sustainability appraisal (appendix D), equalities impact assessment (appendix E) and appropriate assessment (appendix F).
3. Agree to the publication and submission of the core strategy publication/submission version (appendix A) to the secretary of state in March 2010 together with any representations received.
4. Delegate the preparation of a summary of representations received and approval of any minor amendments to the wording of the Core Strategy publication/submission version, following its meeting, to the Strategic Director for Regeneration and Neighbourhoods in consultation with the Executive Member for Regeneration before submission to Secretary of State.
5. Agree to 'save' the Southwark plan policies as set out in (appendix G).

BACKGROUND INFORMATION

6. The Core Strategy will provide the overarching planning framework for the borough. It will be a spatial plan which delivers the vision and objectives for Southwark as set out in the sustainable community strategy 'Southwark 2016'. Looking forward to 2026, it will set out the kind of place we want Southwark to be. This will show the areas where we expect growth, locations for employment uses, and Southwark's approach to maintaining a stable and balanced community through the delivery of schools, affordable housing, protection of open space and leisure facilities. Like all development plans, the Core Strategy must be consistent with national planning guidance and in general conformity with the London Plan. It must show how Southwark will deliver its regional housing target, as well as targets set for the opportunity areas (Elephant and Castle and Bankside, Borough and London Bridge) and our area for intensification (Canada Water). It will also need to focus on implementation and show how and when development in strategic areas will be delivered. It will also need to address how the transport and social infrastructure which are needed to support growth will be provided.

7. Legislation and national guidance sets out the requirements for the preparation of a core strategy. We have complied with these requirements. Preparation of the core strategy has taken place over a number of stages:
 - The first stage involved preparing and consulting on the sustainability appraisal scoping report (July to September 2008).
 - The second stage involved consulting on issues and options (October until December 2008). These set out two different approaches that could be taken forward for development in Southwark.
 - The third stage involved a consultation on preferred options (April to July 2009). These established a direction for policies such as the amount of new housing, tenure, transport, open spaces, schools and health facilities.
8. The council is now at the fourth stage. It is proposed that we adopt the same document for both the publication and submission stage provided that no significant concerns about the soundness of the document arise after publication. This document will then be published and representations as to its soundness can be made until February 26 2010. At the end of this period the same version of the document and any representations received as to its soundness will be submitted to the Secretary of State for independent examination. The council will have consulted on all of the issues, options and the preferred option in the previous stages. The purpose of this stage is to set out the Core Strategy for Southwark after consideration of all of the consultation and evidence for consideration by members before proceeding to publication and submission. Any representations will be provided to the Secretary of State for consideration.
9. The submission core strategy will then be subject to an examination in public held by a planning inspector appointed to act on behalf of the Secretary of State. The inspector will consider representations made by interested parties to test the soundness of the draft core strategy. This may involve the inspector asking further questions about issues and examining relevant evidence. He will then provide the council with a binding report with changes that the council has to make.
10. The council will then make the changes set out in the inspector's report and finally agree the core strategy or reject the changes and make a decision about whether to return to issues and options or to take another way forward.
11. We are faced with many challenges and opportunities in making sure that the Core Strategy meets the needs of our diverse population and environment. These are to:
 - Achieve sustainable development by balancing environmental, social and economic needs to ensure a good quality of life for people now and in the long term.
 - Continue to reflect our diverse cultures positively in places.
 - Reduce the inequalities between people and communities through creating successful places.
 - Build more housing and meet the needs of our diverse population. This includes how we can provide family housing, housing for first-time buyers, social rented housing, intermediate housing and different types of housing such as flats and houses.

- Balance the need for more housing with other demands on the land such as for community facilities, employment and protection of open spaces.
 - Continue to develop and strengthen our economy to provide successful town centres, jobs and places for businesses to thrive. Southwark has huge differences between the wealthy and the more deprived areas despite being one of the largest economies in England.
 - Provide space for new small businesses and creative industries and encourage innovative industries to move to Southwark.
 - Invest in children through improvements to schools, youth provision, play spaces, links to jobs and provision of good quality homes.
 - Minimise our impact on the environment and adapt to climate change by better managing energy use, waste, water use, flood risk and controlling pollution.
 - Protect and enhance historic areas and make sure open spaces are cared for and used.
 - Make sure the design of developments is carefully thought through to contribute to successful places for people.
 - Continue to improve the accessibility of Southwark, including safeguarding land for possible new public and river transport and improving walking and cycling routes.
 - Ensure the core strategy is deliverable and sustainable by taking into account the capacity of planned and existing infrastructure.
 - Consult and work in partnership effectively.
 - Protect the suburban character of Rotherhithe and the south of the borough.
 - Work with Lambeth, Lewisham, Tower Hamlets, Bromley, Westminster, City and Croydon to make sure our growth and opportunity areas complement each other.
 - Work with Lambeth, Westminster, the City and Kensington and Chelsea in the Central Activities Zone to improve the north west of Southwark as a part of central London.
12. Based on the feedback we received on our issues and options report, we decided to take forward mainly the growth areas approach, with some ideas from the housing led approach. This prioritises development in the growth areas:
- Central Activities Zone (CAZ)
 - Bankside, Borough and London Bridge (BBLB) opportunity area
 - Elephant and Castle (E&C) opportunity area
 - Peckham and Nunhead action area
 - Canada Water (CW) action area
 - Aylesbury action area
 - West Camberwell action area
 - Old Kent Road action area
13. Most new development will happen in the growth areas. We are aiming to balance providing as many homes as possible with growth of other activities that create successful places such as places to work, leisure, arts and culture, sports, health centres and tourist activities. We will encourage developments to focus on the strengths of places that make the different areas of the borough distinctive.

14. The core strategy policies will replace some of the policies in the Southwark Plan as set out in appendix G. Under the planning and compulsory purchase act 2004, unless expressly replaced by a new policy, each old policy (adopted Southwark plan policies) must be saved for 3 years from the date it was approved (July 2007). We need to seek the Secretary of State's agreement to save policies. We need to submit to the Government Office for London our list of proposed saved policies with reasons by January 2010 as they require them 6 months before the 3 year deadline. The government have set out the criteria that they consider should be taken into account when saving policies. Planning policy statement 12 paragraph 5.15 says that policies to be extended should comply with the following criteria:

- Where appropriate, there is a clear central strategy.
- Policies have regard to the community strategy.
- Policies are in general conformity with the London plan.
- Policies are in conformity with the core strategy.
- There are effective policies for any parts of Southwark's area where significant change in the use or development of land or conservation of the area is envisaged.
- Policies are necessary and do not repeat national or regional policy.
- The government will have particular regard to.
- Policies that support the delivery of housing, including unimplemented site allocations, up to date affordable housing policies, policies relating to the infrastructure necessary to support housing.
- Policies on Metropolitan Open Land (MOL).
- Policies that support economic development and regeneration, including policies for retailing and town centres.
- Policies for waste management, including unimplemented site allocations.
- Policies that promote renewable energy, reduce impact on climate change and safeguard water resources.

KEY ISSUES FOR CONSIDERATION

Consultation

15. The Planning and Compulsory Purchase Act 2004 (as amended by the Planning Act 2008) and the council's Statement of Community Involvement require consultation to be ongoing and informal to guide the overall approach to consultation on the core strategy. The council has prepared overarching consultation strategies for each of the documents. At each stage in preparing the documents, the council has prepared detailed consultation plans setting out how we will consult. Along with consultation reports as set out in appendix C setting out how we have consulted. These are available on the website and in the member's offices. These have been considered by members at each stage when they are adopting the Core Strategy for consultation.

16. It is important to recognise that a considerable amount of consultation has taken place over the last few years. This can be taken into account as part of the evidence for preparing the Core Strategy. We have taken previous comments into account to try and avoid consultation fatigue.

17. The council will publish the publication/submission version to invite representations until February 26 2010 in line with the requirements of the Statement of Community Involvement as set out in appendix B. The second half

of this period will comprise a period of formal consultation. All documents will be available on the internet, in council offices, libraries and area housing offices. Adverts will also be placed in the press.

18. We received 541 representations from 100 respondents to the consultation on the preferred options. A full table of officer comments on each representation is available on our website at www.southwark.gov.uk/corestrategy for both the questionnaire and written responses. We also received comments from the Government Office for London and the Greater London Authority on the draft Publication/submission version Core Strategy. A full table of officer comments on each comment is available on our website at www.southwark.gov.uk/corestrategy for both the questionnaire and written responses.
19. We have considered these comments along with the evidence and various assessments set out in this report to make changes to the preferred options when preparing the final core strategy vision, themes, objectives, strategy, policies, implementation and monitoring plans.
20. Significant representations along with our responses and any changes between the preferred option and publication/submission version are set out below.

Challenges

21. The comments by statutory consultees (excluding GOL and the GLA) that have been addressed are:
 - The Environment Agency's Corporate Strategy has been updated to reflect the most prominent environmental issues. Central to our strategy is encouraging adaptation to climate change. This is a key issue that lies at the heart of delivering sustainable development and should, therefore, be considered when deciding the most fundamental question of "what type of place should Southwark be?" We therefore advise promotion of living in a borough that achieves environmental sustainability. A challenge has been added to provide this information.
 - English Heritage are concerned that overall, the vision statement is not particularly unique to Southwark - there is lack of focus on what is distinctive about the Borough today and how this is going to be enhanced in the future, beyond housing and business targets. There is no reference to the Boroughs rich history and the role this can play in successful regeneration of locally distinctive places. The vision and area visions have been updated to provide this information.
 - Southwark PCT would like a mention of population turnover. And the type of population turnover or whether the proposed strategy will provide more population stability. Further information has been provided in Southwark today.
22. The other comments that have been addressed are:
 - In some sections challenges are unfocused, for instance, "to improve north-west Southwark as a central London place". Other challenges do not make grammatical sense, for instance, "how we can make the south of Southwark to see little change". We have reworded them.

- Concern with the wording of the following challenge “How we can make the South of Southwark see little change”. A blanket restrictive policy approach to development in the south of the borough is not in accordance with the principles of good planning identified in PPS1. Amend wording to “seek to protect the more suburban character of the Southern part of the Borough. We have amended the wording.
- Greater emphasis on traffic and transport issues including congestion would be welcomed. These are included.
- Should include reference to the fact there are no toilet facilities for the public in general. This is a detailed issue that would be dealt with in supplementary planning documents and the development management development plan document.
- The challenges should refer to more than just needing to meeting housing targets. The challenges cover a wide range of issues.
- The challenges should refer to protecting local shopping parades. This is a detailed issue that would be dealt with in supplementary planning documents and the development management development plan document.
- A key challenge is how to stimulate and encourage new development and investment in Southwark. We include this as a deliverable challenge.
- A specific challenge should be added referring to the health and wellbeing of the community. We have included this as a consideration of quality of life.

Vision

23. The Greater London Authority (GLA) comments that have been addressed are:

- The overall vision and the area visions are supported.
- The priority for growth in the growth areas is supported.
- Targets must be provided in the publication/submission version. We have provided these targets.

24. The Government Office for London (GOL) comments that have been addressed are:

- The overall vision is not locally distinctive, nor does it set out the overall quantum of development. We have rewritten the vision to provide the quantum and be distinctive.
- The vision needs to link to the areas and provide a policy setting out the total and area quantum. We have linked the vision to the areas and added 2 strategic target policies.
- The overall spatial strategy for the borough is not evident. You need to add a clear strategy of what you are trying to delivery during the lifetime of the plan. We have added to sections 3 and 4 with spatial strategies for Southwark and areas.
- You need to clarify where your targets are from and the relationship with the London Plan. We have added end notes to clarify this.

25. The other comments that have been addressed are:

- The overarching approach for the whole of Southwark is weak and descriptive. It contains no analysis and instead relies upon identifying

different visions for different areas. There is a strategy for Southwark and areas which sets out this information.

- The 'world class' element of the northern end of the Borough should not be ignored as it deserves recognition in the context of London as a whole. The CAZ and Bankside, Borough and London Bridge vision sets out this context.

Themes and objectives

26. The GLA comments that have been addressed are:

- Objective 1A - It is disappointing that in the 'Vision and Objectives' chapter no mention is made of reducing the need to travel or promoting sustainable travel and improving accessibility through transport measures. These are included.
- Objective 1C - It would be useful to see a link between health/activity and more sustainable modes of transport, i.e. walking and cycling. These are covered in 2E.

27. The comments by statutory consultees (excluding GOL and the GLA) that have been addressed are:

- The PCT would like objective 1C to include access to healthy affordable food as this is a significant aspect of being healthy and is not referred to here. Income is a part of being able to afford a healthy diet. A concentration of the wrong type of food outlets is an adverse incentive to a healthy diet. This is included in policy 11.
- The PCT would like objective 1E to advocate the inclusion of safe play as Southwark children have the greatest levels of unhealthy weights in the country. This is covered in 1C.
- The Environment Agency would like objective 1C to recognise watersides as areas for recreation and enjoyment. Strategic objective 1C includes the Thames.
- English Heritage would like rewording of objective 2F to 'conserve and protect historic and natural places' and for design objectives to be included. These are now included in 2C and 2F.

28. The other comments that have been addressed are:

- Inclusion of a specific objective to identify, protect and enhance the Strategic Cultural Areas containing the world-class tourist attractions in the North. Objective 1D covers this issue.
- Objective 1A should mention social enterprises. We focus on small businesses and community facilities that provide for social enterprises.
- Objective 1 B has overlooked the important link between the provision of educational facilities and the ability of students to find appropriate accommodation where they can pursue their education. We provide for students in policy 8.
- Objective 1D should include reference to meeting the needs of the 6 equality target groups. This issue is covered in the objective and guidance for the groups is provided in policy 1.
- Objective 2B requires reference to environmental sustainability including zero carbon growth and energy efficient buildings. It also requires

reference to new development is located in places with good public transport accessibility. These issues are covered.

- Objective 2C should specify more social rented housing, instead of the term affordable housing which is ambiguous; reference to provision of new homes for first time buyers; The housing mix of each development should be considered on a site by site basis to ensure the housing is appropriate to the locality and the type of development. This will ensure the objective is flexible and therefore sound. The objective sets out our approach to housing. This detail is discussed in policy 6.
- Objective 2F should acknowledge that new development adjacent to/within conservation areas and listed buildings can be acceptable where the historic environment is preserved/ enhanced. This detail is discussed in policy 12.

Areas

29. The GLA comments that have been addressed are:

- All area approaches welcomed.

30. The comments by statutory consultees (excluding GOL and the GLA) that have been addressed are:

- English Heritage are concerned that there are omissions of policy where tall building locations have been identified in conservation areas, highlighting the need for a detailed urban design study. We will provide a detailed tall buildings study as part of the background papers evidence base.

31. The other comments that have been addressed are:

- General support for the approach to providing a number of separate 'visions' to capture the varying nature of the different growth areas in Southwark.
- It is not appropriate to have 'no growth' as a key vision for some of the areas. There maybe some growth as windfall sites present themselves. This should be omitted. We have reworded our expectations for no growth. The purpose of this description is to be clear that the areas discussed will not be providing housing, retail or jobs that will meet our targets rather than setting guidance for windfall sites.

Central Activity Zone

32. The GLA comments that have been addressed are:

- There should be more explicit reference to the types of activities. We have included these.

33. The other comments that have been addressed are:

- The London-wide role is recognised for this area but concern about the negative impact of student accommodation ignores the role this area has in supporting central London located institutions. We set an approach to

support student accommodation within the strategy to provide mixed and balanced communities with affordable and family housing.

- There is no mention of additional retail uses to support growing residential community needs to reflect Policy 3 hierarchy. This is included.

Bankside, Borough and London Bridge

34. The GLA comments that have been addressed are:

- There must be sound evidence for limiting students and hotels. We set an approach to support student accommodation within the strategy to provide mixed and balanced communities with affordable and family housing.

35. The other comments that have been addressed are:

- We need to justify the rationale for the boundary of the Bankside, Borough and London Bridge opportunity area. It is not consistent with the Central London Sub Regional Development Frameworks (SRDF). The boundary is the same as the Bankside and Borough action area and London Bridge opportunity area with an extension south of London Bridge in the Southwark Plan. The extension was to include areas with a similar character that required guidance and that meet the general characteristics of the opportunity area. Further guidance will be set out in the SPD.
- Support for the overall vision for tall buildings.
- Concern with the approach to resist tall buildings except at the northern end of Blackfriars Road. There are a parts of Borough and Bankside that would benefit from tall buildings (those over 30m tall), which would not be out of character with the prevailing development. The general strategy will be set out in detail in the development management and housing development plan documents and the Bankside, Borough and London Bridge SPD.
- Specific reference should be made to the desire to facilitate the growth of offices in order to meet the Mayor's target of providing 30,000 new jobs by 2026. We have included a target agreed with the Mayor.
- The vision for London Bridge could go further and make specific reference to the immediate area surrounding London Bridge rail and underground station. This has been included.

Elephant and Castle

36. The GLA comments that have been addressed are:

- The policy should provide more detail about transport requirements to mitigate the impact of development and tariffs. The relevant detail is provided. More detail could be set out in a DPD or SPD.

37. The other comments that have been addressed are:

- Support for the range of uses proposed and improvements to public transport
- Elephant and Castle residents have not been consulted about the proposals for high density living and for hotels and office development. We have carried out consultation in the issues and options and preferred option as set out in the consultation report.

- There is no mention of any green space at the Elephant or of continuity for existing shops. We have added information about green space and about working with the local community and businesses to achieve the vision.

Canada Water

38. The GOL comments that have been addressed are:

- Need to say that the council are preparing an AAP. Need to set out the scale of predicated growth as a hook for the AAP. We have included these.

39. The other comments that have been addressed are:

- Support for fostering a “real” town centre at Canada Water.
- Redesignation of Canada Water as suburban zone from an urban zone is inappropriate and would prejudice development within the area. It is contrary to national and strategic guidance which promotes higher density development in areas of high levels of public transport accessibility. Also runs contrary to Canada Water action area designation and aspirations to promote Canada Water as a major town centre. Canada Water has not been designated as suburban. Some of the Rotherhithe area has been designated where it is suburban in character.

Peckham and Nunhead

40. The GLA comments that have been addressed are:

- The approach to growth should be clarified in the area vision. Evidence for housing numbers is included as part of the background for policies 5 and 6. Although the shopping centre may be redeveloped. There is no large scale anticipated growth within the next 5 years in jobs, retail or leisure. Therefore there is no target for this area.
- The approach to the tram is set out in the table where Executive consider planning committee comments.

41. The GOL comments that have been addressed are:

- Need to say that the council are preparing an AAP. Need to set out the scale of predicted growth as a hook for the AAP. We have set out our approach to development in Peckham and made reference to the AAP.

42. The comments by statutory consultees (excluding GOL and the GLA) that have been addressed are:

- Network Rail notes the aspiration to create a new public square in front of Peckham Rye Station however there should be references to section 106 requirements for funding. This detail will be addressed in the Peckham Area Action Plan.

43. The other comments that have been addressed are:

- Peckham Vision should delete the section committing the borough to facilitating the better flow of traffic and instead commit itself to a

comprehensive protected cycle route for the neighbourhood within 5 years. We have reworded the vision to focus on sustainable transport.

- Vision should also clarify that TfL recently announced they will not fund the Cross River Tram in the next 10 years. Please see the Executive response to the planning committee comments on this issue.

Aylesbury

44. The other comments that have been addressed are:

- There should be a target for jobs and continuity for the existing shopping on East Street. This level of detail would be considered in the Aylesbury Area Action Plan.

Camberwell

45. The other comments that have been addressed are:

- Concern for the absence of target and a no growth scenario. No growth often spells decline. This has been reworded to set out how we would like improvements to take place and the situations when growth may take place.
- Should include support for the re-development of the supermarket car-park and one storey retail centre to a density better matching its town-centre location. We have included this information.
- Support for the identification of "West Camberwell housing regeneration area" as a suitable location for regeneration which will contribute to providing sufficient housing to meet the identified targets and which can act as a catalyst for regeneration elsewhere in the borough.

The Blue

46. The other comments that have been addressed are:

- The Blue is shown as an area for no targets and no growth. We believe the Blue should be combined with the area around it as an area for, at least, modest growth. Further detail has been provided to encourage improvements of the area however there are no sites with capacity for growth.
- The Blue together with the Tower Bridge Business Complex should be designated a growth area. Tower Bridge Business Complex will be a proposals site with the level of growth set out in a supplementary planning document.
- We should note that the Blue can support arts, cultural and other community facilities once its rejuvenation is complete. We are focusing on strengthening the shops rather than other broader uses at present.

Old Kent Road regeneration area

47. The other comments that have been addressed are:

- More explanation is required relating to the reference to the biosciences and knowledge economy on Old Kent road. We have provided a vision, more detail will be provided in the Area Action Plan.

- There is a lack of detail about the area boundary (it is not shown in figure 1). This is shown in the proposals map changes.
- The area should be expanded to include sites on Ilderton Road. This area is included.
- Homes and jobs targets should be set out. These will be set out in the area action plan.

Herne Hill

48. The comments by statutory consultees (excluding GOL and the GLA) that have been addressed are:

- Network Rail support is given to the council's statement that: "We will support development of the railway arches into niche businesses or other activities that provide vibrancy to the town centre." This aim is in accordance with Network Rail's wider drive to provide upgraded affordable work space for the "Small and Medium Enterprise" businesses that make up the bulk of our commercial tenants.

Strategic policies – general

49. The GLA comments that have been addressed are:

- All policy approaches welcomed except policy 9 which is addressed in the policy below.

Policy 1 Sustainable development

50. The comments by statutory consultees (excluding GOL and the GLA) that have been addressed are:

- Natural England commends the Council for setting clear target indicators, defining major development schemes, which should help developers in bringing forward suitable and appropriate schemes.
- Environment Agency supports the inclusion of this policy as a means of determining and ensuring that new development is sustainable.
- PCT suggests that we should add 'health' to the list of assessments proposed i.e. social economic and environmental needs. We added into the 'we are doing this because'. We will continue to follow London Plan policy health impacts and require health impacts assessments. This makes sure that major developments consider the impact of the development on health and also promote public health.

51. The other comments that have been addressed are:

- We should make it clear that equalities issues need to be addressed through early consultation of residents in applications and through design and access statement. We have included this in our objective 4B.
- We should clarify if we are asking for sustainability assessments from all schemes. We have clarified this in the policy.
- The council needs to be flexible in approach and not impose rigid targets that might affect the viability of development. The assessment approach is flexible through a set of requirements that are balanced.
- Concern that planning obligations must relate to the development. The

planning obligations have been moved to policy 14 on implementation and the reference to planning obligations has been confirmed.

- This is meaningless at the moment as it fails to define what it means by environmental sustainability. The policy is clear about the different factors that contribute to sustainability.
- Concern that the sustainability appraisal process is becoming more and more onerous. It adds to the cost of development, but it is not clear that it adds to the decision making equally. The sustainability appraisal process set out our approach to planning. It is not onerous as this is the process that should be followed to provide a detailed consideration of the issues that are required when submitting a planning application. This is the strategy rather than a new requirement and the Southwark Plan policy 3.3 will be saved setting out the detail.
- We need clearer guidance on measures to be practically employed to demonstrate that equalities target groups are not adversely impacted by development. It should be made clearer in the document that this is done through consultation and reporting in the design and access statement. We set out our approach to meet this requirement in the policy in more detail.
- We should amend the wording to remove the broad assumption that all development should contribute to all of the facilities and services noted in the Core Strategy. The policy has been amended to remove this assumption.
- We should rely on existing mechanisms to provide assessment such as Code for Sustainable Homes and/or BRE Environmental Assessment Method (BREEAM). We do use existing mechanisms to provide assessments including code for sustainable homes and BREEAM. These are part of the sustainability assessment. The sustainability assessment needs to consider all relevant assessments and how the various issues interact.
- We need to specify how we will ensure sustainability or obtain payments for all the other (non major) developments. All developments need to be considered on their merits. These factors include sustainability and the measures that may be required to mitigate the impact of development. We use major development as the threshold as we consider that requiring a general provision for minor developments would be onerous when weighed up against the impacts of the scheme. If a specific requirement from a scheme is necessary then this can be requested based on the policy for that issue.
- We need to make it clearer what 'requiring payments for local facilities' actually means and how it will be distributed. We have moved the payments issue to the delivery policy 14 where we have provided further clarification.
- We should require environmental, economic and social impact assessment for all developments (especially infill sites and those covering existing back gardens or brown field sites). All developments need to be considered on their merits. These factors include sustainability and the measures that may be required to mitigate the impact of development. We use major development as the threshold as we consider that requiring a general provision for minor developments would be onerous when weighed up against the impacts of the scheme. If a specific requirement from a scheme is necessary then this can be requested based on the policy for that issue.
- We should clarify that the requirement for Sustainability Assessments to

be submitted is as part of major planning applications. We need to set out how this sits alongside Environmental Assessments that are typically required for major developments. The core strategy sets out the strategy. We are saving policy 3.3 in the Southwark Plan which sets out the detail. There sustainability SPDs also provide further detail about the specific requirements.

- Consider that the sustainability assessment policy is an inappropriate place to have the requirement for payments under section 106 legal agreements and that this should be covered under a separate policy. We have moved this to policy 14 on delivery.
- Consider that Southwark's sustainability assessments are based on presumption and not evidence and that there should be a requirement that local residents are involved in the sustainability assessment process. The core strategy sets out the strategy. We are saving policy 3.3 in the Southwark Plan which sets out the detail. There sustainability SPDs also provide further detail about the specific requirements.
- Consider the fact box mentioning 9 equality target groups is confusing. We have now included these groups in the policy.

Policy 2 Sustainable transport

52. The GLA comments (including Transport for London) that have been addressed are:

- References to the London Plan and strategies should be included. We have included these in the justifications.
- Further clarity has been provided about the tram and the issues around delivery within the time period of the plan and actions that may be taken to improve transport connections southwards to Peckham. We have provided this information and agreed with the GLA that this is an acceptable approach.
- Further detail should be provided on safeguarding public transport. We have set out detail about safeguarding in the policy. There is further detail in the saved policy in the Southwark Plan.
- Further detail should be provided on car parking, blue badge motorists and motor bike parking. This is too much detail for the Core Strategy. This information is in the saved policies in the Southwark Plan.
- Further detail should be provided on travel plans, service plans and freight. This information is in the saved policies in the Southwark Plan.
- The policy should provide more detail about transport requirements to mitigate the impact of development and tariffs. This information is in the saved policies in the Southwark Plan and the Section 106 Planning Obligations SPD.

53. The GOL comments that have been addressed are:

- Further clarity has been provided about the tram and the issues around delivery within the time period of the plan and actions that may be taken to improve transport connections southwards to Peckham. We have provided this information and agreed with the GLA that this is an acceptable approach.

54. The comments by statutory consultees (excluding GOL and the GLA) that have been addressed are:

- Natural England encourage and welcome the aspiration to improve accessibility to, through and around the Borough by sustainable transport options, including walking and cycling.
- The PCT would like us to include reference to the better health outcomes under the heading 'Why are we doing this'. We have included this information.
- The PCT recommend including explicit ratios of the different forms of transport to be encouraged. We would want to see a high percentage of people using walking or cycling as opposed to public transport or private car. Unless this is made specific there is a risk of designing in long term focus on public transport rather than on healthier self-transport especially cycling and walking. We have set targets in the implementation table accompanying policy 14.

55. The other comments that have been addressed are:

- General support for the council's aspiration to make Southwark accessible by sustainable modes of transport.
- We should include river transport in the list of sustainable types of transport in the "We are trying to" section on page 22. We have included this information.
- Consider the opportunity to widen the policy to incorporate the sustainable transport of freight in to the policy. We consider freight in the transport assessments part of the policy and we discuss issues concerning freight and how we will address them in the 'we are doing this because'. We are saving our Southwark Plan policy that provides guidance on freight for development control decisions.
- General support for asking for planning contributions to transport schemes.
- Request for more detailed policies such as setting out cycling routes across the borough. We have included the strategy for this in the policy and 'we are doing this because'. We are saving our Southwark Plan policy that provides guidance on cycling routes.
- We need to show a clear commitment to a comprehensive physically protected cycling network across the borough and a map detailing such a network needs to be included with the Core Document and the Neighbourhood Action Plans. We have included the strategy for this in the policy and 'we are doing this because'. We are saving our Southwark Plan policy that provides guidance on cycling routes. Further detail will be provided in our development management development plan document, our area action plans and supplementary planning documents.
- Support the removal of the Tower Bridge Business Complex from the Preferred Industrial Location (P.I.L.) designation supports this sustainable transport policy.
- Payments for transport improvements should be considered on a case by case basis. We set out the approach in the core strategy. We are saving our policy in the Southwark Plan and we set out the detail in our Section 106 Planning Obligations SPD.
- There should be acceptance of car free development where in areas of high public transport accessibility. We have included the strategy for this in the policy and 'we are doing this because'. We are saving our Southwark Plan policy that provides guidance on car parking. Further detail will be provided in our development management development plan

- document, our area action plans and supplementary planning documents.
- There should not be a broad assumption that all development should contribute to sustainable transport improvements. We set out the approach in the core strategy. We are saving our policy in the Southwark Plan and we set out the detail in our Section 106 Planning Obligations SPD.
- We need to increase the accessibility of other means of transport without penalising the car borne visitor. If car borne visitors are not catered for they are likely to have to make less sustainable longer journeys to fulfill their shopping needs. We are setting out our strategy to increase provision of sustainable transport and reduce the number of car trips. This does cater for car borne users where these are essential journeys.
- We need to include the use of the River Thames for transport of passengers, goods and freight in Policy 2 sustainable transport. We have included this information.
- Emphasis could also be placed on the importance of walking and cycling routes which approach and cross the river since these are essential for sustainable access to employment and visitor attractions in Southwark and the City. We set out the approach in the core strategy. We are saving our policy in the Southwark Plan and we set out the detail in our transport SPD.
- Maximising the effective use of the Overground Rail Network in Southwark should be referred to in the list of actions in this section. We set out our strategy to maximise the use of public transport and our approach to this in our policy.
- We should amend “as well as how much parking is needed”, to say “to ensure parking provision reflects the potential need in the development, does not cause overspill and is free and adequate” – ie the incentive/necessity to park on the adjoining residential streets is reduced. This guidance has been changed to set a strategy rather than a development control requirement.

Policy 3 Shopping, leisure and entertainment

56. The GLA comments that have been addressed are:

- The town centre hierarchy should be consistent with London Plan and Mayor strategies and emerging strategies. It should provide clarification on the quantum of additional leisure and shopping space in town centres and should be based on local evidence assessments. We have added in quantum of planned future retail development where we know what these will be. Our area action plans and area specific supplementary planning documents will provide further detailed information.
- More detail should be provided on reducing the impacts of noise. This detail will be provided in area action plans, supplementary planning documents and the development management development plan document.

57. The GOL comments that have been addressed are:

- There needs to be more detail about infrastructure to provide for the growth in town centres. We have added this to policy 14 and the implementation table.
- This policy does not refer to the overall quantum of retail development

being proposed. You are proposing that Canada Water becomes a Major shopping centre. You will need to provide a robust evidence base to justify this proposal, which is currently not in line with the London Plan. We have added the overall quantum and have been clear how Canada Water will become a Major shopping centre.

58. The comments by statutory consultees (excluding GOL and the GLA) that have been addressed are:

- Southwark PCT would like us to introduce clear planning policies relating to balancing the numbers of fast food outlets with better opportunities to buy affordable healthy foods such as vegetable and fish and more healthy restaurants. This more detailed policy would be more appropriate in the development management development plan document, supplementary planning documents and area action plans. We will follow up this issue in the preparation of these documents.
- Southwark PCT would like us to see a vibrant nightlife but with a balance of venues selling alcohol with other venues for evening entertainment e.g. cinemas, theatre and other family friendly venues. We have set out these issues where they are appropriate in the visions. This more detailed policy would be more appropriate in the development management development plan document, supplementary planning documents and area action plans. We will follow up this issue in the preparation of these documents.

59. The other comments that have been addressed are:

- General support for the hierarchy of town and local centres for new retail development and support for proposed additional shopping and leisure floorspace.
- Request for a review of the hierarchy of town and local centres to be undertaken, to include some re-designation of centres. The major town centres should include Bermondsey and Camberwell. The Elephant and Castle development should extend down the Walworth Rd to Burgess Park. The CAZ should be recognised as at the top of the hierarchy, above 'Major Town Centres'. The hierarchy has been set up based on current level of retail or potential for retail that we will be aiming to deliver. This suggestion would not accord with our retail assessment evidence which is available.
- Local parades of amenity shops needs protecting and enhancing. This is included in the policy.
- Policy should promote residential development above shops, and encourage development on existing retail and commercial premises to encourage efficient use of land. This level of detail is in our saved policy, AAPs and SPDs rather than the Core Strategy.
- Conclusions of retail study should be included in the Core Strategy, with commentary on the potential distribution, phasing and quantum of future retail development to meet need. This will be available in the background papers and the retail assessment.
- Policy should reflect PPS6 guidance i.e. Need, impact, sequential approach, scale and also reflect PPS4 draft which recognises out of centre sites as part of sequential approach to site selection. The policy does reflect PPS6 guidance.
- Introduce a policy opposing open air car parking provision for retail and commercial developments due to the huge pressure for land and

introduce a policy supporting development on existing retail and commercial car parks and single storey retail / commercial premises. This is too detailed for the core strategy and is in the saved policy in the Southwark Plan.

- The role that retail can have in enhancing culture and arts by increasing vitality and foot fall should be acknowledged. This is acknowledged in the justification.
- The local centres need to be lifetime neighbourhoods, an important emerging theme in the new London Plan. Lifetime neighbourhoods means local shops, social and community facilities, parks and open spaces within walking distance of where people live. The concept of lifetime neighbourhoods is not intended to apply specifically to town centres. These cover larger areas which might include town centres. Southwark will keep the concept under review as it evolves through the London Plan.

Policy 4 Places to learn and enjoy

60. The GLA comments that have been addressed are:

- This policy would benefit from expansion with further detail about health and education. We have added this to the reasons, policy 14 and the implementation table.

61. The GOL comments that have been addressed are:

- There needs to be more detail about how schools will be provided. We have added this to the reasons, policy 14 and the implementation table.

62. The comments by statutory consultees (excluding GOL and the GLA) that have been addressed are:

- The Primary Care Trust suggests that we need to make sure that planning contributions for community facilities are related to the new development. This has been added into the policy 'we are doing this because'.
- The Primary Care Trust suggests that if a developer demonstrates that there is no longer a need for a community facility, then the building should be allowed to be used for a different use. This is being saved as part of the Southwark Plan policy and may be considered as part of the development plan document for development control.
- Policies should be included specific to health. We have included health issues in most of the policies and we have addressed all of the relevant issues.

63. The other comments that have been addressed are:

- Need to ensure support, opportunities for enhancements and flexibility in the approach to community buildings and educational facilities. The policy achieves this.
- The metropolitan police authority suggests that we should identify police facilities as a form of community facility. The community facilities group as set out by the government does not include the police. Our strategy is to facilitate a network of community services that are well used by the local community and to be located in accessible areas. Policy 3 includes a mix

of uses within town centres, which could potentially include policing services.

- In the Fact Box Community Facilities there should be an extra bullet point referring to Wildlife Gardens. These are covered in policy 11.
- Clarify how the core strategy joins up with existing strategies and plans such as the Sports and Physical Activity plan and the Play strategy. We will provide this information in the background papers.
- Include reference to health centre's in the payments section. This is included .
- We should be more specific in identifying suitable sites for new health facilities. We have set out the strategy. We will provide more detail in line with the strategy set out by the Primary Care Trust.
- Consider whether it is appropriate that contributions derived from development are used to improve the community infrastructure provided by Her Majesty's Courts Services. Detail of provision for section 106 is covered in our supplementary planning documents and area action plans.
- Include reference to the community services provided by Faith Groups. The fact box includes faith groups as community facilities.
- Include guidance to support the need for premises by faith communities. This is provided as part of the strategy for community facilities.

Policy 5 Providing new homes

64. The GLA comments (including Transport for London (TfL)) that have been addressed are:

- The housing targets should be until 2026 and should be in conformity with the London Plan. We have added the housing target which is in general conformity with the London Plan. We have also included the new draft London Plan target in the justifications.
- The wording of the density policy should be consistent with the London Plan. The wording has been changed to be consistent.
- The council must include the new target with a footnote and a commitment to work with the GLA to find an agreed target. We have included this.
- This policy can only be achieved with adequate provision of highway and public transport infrastructure. TfL therefore recommends that all high density and large scale development should be carefully planned and should not result in an unacceptable adverse traffic and safety impact to the local Transport for London Road. Our strategy for this is set out in policy 2, our vision and the area visions.

65. The GOL comments that have been addressed are:

- Make reference to the SHLAA in the justification to the policy with the caveat that this is part of the London Plan that has not been subject to examination. We have included this.
- You should not be including windfalls in your first 10 years land supply unless there are genuine local circumstances. We have removed the windfall reference and added in more detail about how we will meet our target.
- Include a reference to your proposed Housing DPD within the justification as this is where you intend to allocate sites. We have added this.
- It should be more clear where the housing will be built. We have included

phasing, area targets and been clear that the housing will be met in growth areas.

66. The comments by statutory consultees (excluding GOL and the GLA) that have been addressed are:
- Southwark PCT recommend conducting a health impact assessment that would identify the impact of the developments and the density of the developments on the following aspects that relate to health. We have included these issues in our sustainability and equalities assessments rather than carrying out a bespoke assessment.
 - Natural England supports the intent not to harm the environment or open spaces under this policy.
67. The other comments that have been addressed are:
- Support for the aim to provide new homes in attractive environments (particularly in Growth Areas) and meeting targets set out in the London Plan to build in excess of 31,000 new homes between 1997 and 2017 provided that the local character, environment, open spaces and Southwark's heritage are not detrimentally affected.
 - The targets for new housing provision should extend beyond 2017 to cover the period up to the end date of the Core Strategy. These are now until 2026 which is the length of the plan period.
 - Question whether we should encourage housing development in all brownfield sites not just growth areas. We took the growth areas approach as set out in our preferred options to maximise development of housing in growth areas.
 - We need to be clearer how the SHLAA sites designation impacts on individual sites. The SHLAA sites are not designations they are possible sites for development that could provide housing to meet out targets.
 - Overall support for allowing increased density in core action areas and opportunity areas.
 - Support for focusing large developments (0.25 ha and over) in Opportunity Areas and Core Action Areas and permitting the construction of housing on employment or industrial estates that are deemed obsolete (excluding those protected in policy 10).
 - Core Strategy should not include a maximum density figure, but instead the density of development proposals should be guided by the existing local context, proposed plot sizes, design quality and public transport capacity in accordance with the London Plan. The density requirements are expressed as ranges and should not be taken as precise requirements. There is range for a higher density in certain appropriate areas where this can be justified.
 - The statement that Southwark will “no longer allow higher densities in area just because have high PTAL” is contrary to both the advice set out at national level by the Government and within the London Plan. Within both these documents high density development is encouraged where a site has good/excellent public transport accessibility. Such decisions should be balanced with the schemes ability to demonstrate good design. We are following the approach set out in the comment the issue is that mixed use should be in growth areas rather than areas where there is high public transport.
 - Larger development and higher density ranges should also be promoted

in other areas specifically with a high PTAL, where redevelopment of the site would give wider community benefits and assist in on-going regeneration. Larger development should be in mixed use, growth areas rather than where there is just high levels of public transport.

- Housing need and targets should not outweigh encouraging development for other land uses e.g. Employment floorspace necessary to meet the other objectives of the Core Strategy. This is the approach we have taken with growth areas.
- Support for the range of densities in town centre, opportunity and core action areas and support the target of densities in excess of 700 hrh in such areas. With good quality design, densities significantly in excess of this can be achieved in the right locations.
- The fact box should be amended to accord with national policy in relation to the use of planning obligations, such that any contributions sought are reasonable in all respects. This has been moved to new policy 14 implementation.
- High densities are achievable with high standards of design and should be subject to the same design standards as other development. Developments with high densities must have exemplary design standards as they have a more significant impact on the local area.
- Support changing more of the borough into a suburban zone and not to link the designation to PTAL index: transport provision can change very quickly and is not a true indicator of whether the transport infrastructure can cope with the increased demand of urban status/density.

Policy 6 Homes for people on different incomes

68. The GLA comments that have been addressed are:

- The plan should define affordable housing. We have a definition in a fact box.
- The policy should include a requirement for all housing over 10 units to provide affordable housing. We have included this requirement. We have changed the policy for Elephant and Castle to require a minimum of 35% affordable housing in line with the rest of the borough.
- The policy must seek the maximum reasonable proportion of affordable housing. The policy includes this requirement.
- The council must set out a robust evidence base to support the requirement of affordable housing and the target that should be set. We have set out our new affordable housing target and the policy for how we will achieve this. We have a robust evidence base.
- We have removed the section on tenure and will continue to use the saved Southwark Plan policies on tenure at the moment.

69. The GOL comments that have been addressed are:

- The policy must seek the maximum reasonable proportion of affordable housing. The policy includes this requirement.
- The policy should include a requirement for all housing over 10 units to provide affordable housing. We have included this requirement. We have changed the policy for Elephant and Castle to require a minimum of 35% affordable housing in line with the rest of the borough.
- The policy could include the overall percentage of affordable housing. The policy includes this.

- The policy should set out the percentage of social and intermediate housing. This is too detailed for the strategic core strategy. We have saved the Southwark Plan policy and will address this issue in the Housing DPD.
- The council must set out a robust evidence base to support the requirement of affordable housing and the target that should be set. We have set out our new affordable housing target and the policy for how we will achieve this. We have a robust evidence base.
- It is not clear how this policy will be implemented. We have set out in the table for implementation and policy 14 how this will be implemented along with the justification of policy 6.

70. The other comments that have been addressed are:

- General support for the area based approach.
- Concern at Elephant & Castle only requiring 10% affordable housing. 'A minimum of 10% to 35% of new homes should be affordable' is meaningless. The policy would cut the amount of affordable housing required by the Southwark Plan from 35% to 10%. No private developer will submit a plan for 35% affordable housing where 10% will do; the current ratio should therefore be retained. It should also be strengthened by treating 35% as a true minimum and only applied after the developer has demonstrated that the 50% target given in the London Plan is economically unviable. The Elephant and Castle now has a minimum 35% affordable housing requirement.
- The proposal to make little change outside the opportunity and action areas is contrary to government policy on creating mixed communities. The government policy is for growth in areas such as those set out in the Core Strategy. We will still be requiring mixed housing to create mixed communities outside the growth areas.
- Key Worker accommodation as part of Policy 6, recognising the importance of this to key local employers such as health and education. We require affordable housing in this policy.
- The approach to the mix of different unit sizes in new development is prescriptive, allowing no flexibility for schemes to respond to local need, market requirements, site specific issues and overall viability. The approach will allow for larger units to provide for local need as set out in our evidence and research.
- The "New Plan For London" publication from the GLA (April 2009) confirms the Mayor's intention to move away from percentages towards numerical targets for affordable houses on a borough by borough basis. Policy should be amended to reflect this shift in regional policy to ensure Policy 6 is in compliance with the emerging London Plan. We have a numerical affordable housing policy.
- The prescriptive mix of housing tenures should be guidance only to ensure the Policy is adequately flexible to allow the ambitious housing targets to be deliverable and to ensure that the Policy can be considered sound. Tenure has been saved as part of the Southwark Plan and has been removed from the Core Strategy as this is too detailed.

Policy 7 Family housing

71. The GLA comments that have been addressed are:

- The council should consider broadening it to all non self contained housing. This detail will be addressed in the development management development plan document.
 - It is not clear how this policy will be implemented. We have set out in the table for implementation and policy 14 how this will be implemented along with the justification of policy 6.
72. The comments by statutory consultees (excluding GOL and the GLA) that have been addressed are:
- Southwark PCT welcome the access to a greater range of family homes. However we are unclear that the proposed policy will achieve the required numbers or the required mix. We welcome the recognition of the needs of families for access to a garden. We would hope that the mix of family homes are in the right numbers, places with easy access to open spaces, schools and health centres. We have changed the policy approach to require higher levels of family housing where there are lower densities which is the approach set out in this comment.
73. The other comments that have been addressed are:
- General support for the approach of 30% family housing.
 - A standard requirement for 30% 3, 4 or 5 bed in each development is impractical. The mix of units should be carried out on an individual site basis and the policy should have more flexibility. For example, high-density developments of tall buildings in opportunity areas may not be as appropriate for large family units on alternative sites. The policy has been altered to have a differential approach based on density.
 - It is also important to provide for single and childless couples as well as family housing. We allow for 1 and 2 bed flats for this.
 - The policy should be 42% of homes as 3 bed+ in line with the London Plan. This would not be viable, nor would it be physically possible in higher density areas. Therefore this would reduce the number of units delivered.
 - 50% of family sized units should be social rented housing is unrealistic. The number of family affordable housing units is the product of a number of factors including suitability of the site for family housing, size and layout of units and economic considerations. We have reduced this to a differential approach that is achievable.
 - Family accommodation should be appropriately located where access to schools, open space and a range of family based activities are available. The policy has been altered to have a differential approach based on density.
 - Introducing a requirement for 2/3 bedroom homes to have a required minimum of two double bedrooms to be too inflexible and should be considered on a site by site basis. The policy has been altered to have a differential approach based on density.
 - The maximum requirement of 35% 1 bed units and minimum of 60% 2 or more beds is inconsistent. Providing a mix of units is provided that is appropriate to the development, there should be no standard limits. The policy has been altered to have a differential approach based on density.
 - The size ranges for accommodation should be consistent with the London Plan. The use of minimum unit sizes is onerous: reliance should be placed on existing alternative standards e.g. Lifetime Homes. This new standard

- is consistent with the Mayors new proposed standards.
- The proposal that developments in the Elephant and Castle Opportunity Area should only have 10% of homes with 3 bedrooms should be dropped and the Elephant brought into line with the rest of the borough. The policy has been altered to have a differential approach based on density.

Policy 8 Student housing

74. The GLA comments that have been addressed are:

- The policy is required to be in general conformity with the London Plan. It should demonstrate that need has been considered with evidence for the approach taken. We have provided this detail.
- It is not clear how this policy will be implemented. We have set out in the table for implementation and policy 14 how this will be implemented along with the justification of policy 6.

75. There were no additional comments from statutory consultees (other than GOL and GLA).

76. Other comments that have been addressed are:

- Concern with asking for affordable housing as part of student schemes; The London Plan and the Housing Strategy identifies that affordable housing should not normally be sought in relation to student housing and therefore this should be removed. The GLA have not objected to this policy as not being in general conformity. They have asked us to provide evidence for this which we can provide.
- We should work together with other London boroughs to provide student housing. We are working with other London boroughs in our sub regional housing group.
- Should encourage student housing in the growth areas. We are allowing student housing in the growth areas.
- Developers should be made to meet Southwark policies even when building student housing – student housing can later be used as ordinary family housing if built to a high enough standard. This can not take place due to the layout and also the need for student housing is increasing so it is unlikely that it will change to family housing.
- Objection to the council's approach to limiting the amount of student housing. The provision of student accommodation is essential as it frees up the more affordable element of the private rented market and reduces market stress upon this sector of housing. The provision of student housing can relieve localised housing need; The proposed policy seeks to limit student housing, which appears contradictory to Objective 2C, which seeks to encourage more student housing. The aim is to allow student housing whilst enabling us to meet our housing targets and provide for affordable housing need.
- The requirement to demonstrate that the housing is for local students in Southwark is unduly onerous given the cross borough boundary nature of such educational establishments. This requirement is not in the policy.
- Section 106 contribution requests relating to student accommodation proposals should not seek to pay for the replication of facilities which are already being provided on a university's campus, for example contributions towards health facilities or community facilities are not

appropriate where these facilities already exist on a university's campus. The requirement for student housing is different to general needs policies and will be set out in more detail in AAPs and SPDs.

Policy 9 Homes for Gypsies and travellers

77. The GLA comments that have been addressed are:

- The policy should be changed to be in general conformity with the London Plan. We have amended the policy to set out that we will safeguard the existing four Gypsy and traveller sites. We have also set out criteria for how new sites will be identified if needed in the future.
- It is not clear how this policy will be implemented. We have set out in the table for implementation and policy 14 how this will be implemented along with the justification of policy 6.

78. Other comments that have been addressed are:

- The current policy is too vague. We have provided further detail.
- We should refer to the Gypsy and traveller Needs Assessment. This is included in the reasons.
- We do not believe that land in the CAZ or Urban Zone is most efficiently used to house low density Gypsy/traveller communities. Policy should be clear that they will be housed outside these areas. We have set out a criteria based approach to provision as set out in national guidance based on sites rather than areas.
- This is a blank space. It is of concern that Southwark has no interest in what is a statutory duty. There need to be more and better sites to promote inclusion and equality. We have provided a criteria based approach and protected current sites.
- The section on Gypsies and travellers has overlooked the fact that research - in the form of a London boroughs' Gypsy and traveller Accommodation Needs Assessment, to which Southwark was party - has been carried out (There is no GLA research to wait for). We have provided a criteria based approach and protected current sites.
- Recommended that boroughs should be seen to be getting on with seeking to meet at least the minimum level of need. Council may have problems (e.g. with planning appeals) if, as suggested by the text in the core strategy, there is no effort made or commitment to meet this stated need and are presented with Gypsies and travellers taking a DIY approach to providing new sites. We have provided a criteria based approach and protected current sites.

Policy 10 Jobs and business

79. The GLA comments that have been addressed are:

- The policy must support this with an evidence based study particularly removal of the Tower industrial site. We have removed part of one the PILs, as supported by the owners of the site. We have an Employment Land Review that supports this change.
- The policy must support this with an evidence based study particularly the approach to hotels. We have amended the policy to set out where we will encourage hotels.

80. The GOL comments that have been addressed are:
- How will the release of 20ha of industrial and warehousing land be achieved? We are achieving this through implementing and saving our Southwark Plan policy.
81. The comments by statutory consultees (excluding GOL and the GLA) that have been addressed are:
- Southwark PCT suggest that development would need to consider how many jobs might be created and also how many posts would be available for local people including those who move into the area. There is no discussion in this section on the role and development of the existing large employers locally i.e. NHS and council. In addition there is no consideration of the potential to develop small high technology industries in the area in connection with the new Academic Health Sciences Centre - Kings Health Partners with its role in getting experimental developments into business ready technologies in a short space of time. Through our section 106 SPD and through policy 10 we target new jobs and training opportunities towards local people. Our employment and enterprise strategies set out in more detail how we do this. We recognise the contribution to employment which the NHS makes, but do not consider it appropriate to refer to the NHS in the Core Strategy policy. There are many organisations which contribute to employment and the Core Strategy cannot refer to all of them. The potential to develop small high tech industries is noted and would be consistent with our approach as set out in the Core Strategy.
82. The other comments that have been addressed are:
- Support for the continuing protection of Preferred Industrial Locations and designated employment zones, subject to the continuing demand for industrial and employment floorspace.
 - Policy 10 should not seek to protect all business space in the locations set out. It should be more flexible and allow other uses where there is no demand, high vacancy, redundant land etc. The core strategy sets out the strategy to protect all business space in locations where this is appropriate and necessary to meet need for jobs and businesses. We have more detailed development management policies in the Southwark Plan which we will be saving that provide the further detail and criteria suggested by this comment. We will also be updating the detail in the development management development plan document, area action plans and supplementary planning documents.
 - Policy does not include any flexibility for losing business space which has been vacant and marketed for a length of time nor does it take into account the quality of the existing floorspace vs. the potential quality of replacement floorspace. The core strategy sets out the strategy to protect all business space in locations where this is appropriate and necessary to meet need for jobs and businesses. We have more detailed development management policies in the Southwark Plan which we will be saving that provide the further detail and criteria suggested by this comment. We will also be updating the detail in the development management development plan document, area action plans and supplementary planning

documents.

- All industrial locations and business sites must be protected from all types of ongoing harmful housing led developments. Regular reviews of these sites should be carried out to assess whether it is still needed. The core strategy sets out the strategy to protect all business space in locations where this is appropriate and necessary to meet need for jobs and businesses. We have more detailed development management policies in the Southwark Plan which we will be saving that provide the further detail and criteria suggested by this comment. We will also be updating the detail in the development management development plan document, area action plans and supplementary planning documents.
- Existing office floorspace should only be protected in the CAZ, town centres, core action areas and strategic cultural areas where there is a demonstrated need for its retention and subject to a range of criteria. The core strategy sets out the strategy to protect all business space in locations where this is appropriate and necessary to meet need for jobs and businesses. We have more detailed development management policies in the Southwark Plan which we will be saving that provide the further detail and criteria suggested by this comment. We will also be updating the detail in the development management development plan document, area action plans and supplementary planning documents.
- Existing arts, cultural and tourist facilities use should only be protected where there is a demonstrated need for it. The core strategy sets out the strategy to protect all arts, cultural and tourist facilities in locations where this is appropriate and necessary to meet need for jobs and businesses. We have more detailed development management policies in the Southwark Plan which we will be saving that provide the further detail and criteria suggested by this comment. We will also be updating the detail in the development management development plan document, area action plans and supplementary planning documents.
- The policy should recognise the employment generating potential of other forms of business space e.g. hotels. The policy has been changed to provide information suggested by this comment.
- The policy should only protect PILs where there is a need. It should be more flexible and allow mixed use development in the PILs. It should also allow places of worship subject to criteria, such as a 24 month period of vacancy. The core strategy sets out the strategy to protect all business space in locations where this is appropriate and necessary to meet need for jobs and businesses. We have more detailed development management policies in the Southwark Plan which we will be saving that provide the further detail and criteria suggested by this comment. We will also be updating the detail in the development management development plan document, area action plans and supplementary planning documents.
- The following sites should be released from PILs, in the light of surrounding residential land use and the contribution which the sites could make towards housing growth: The Rich Industrial Estate, Crimscott Street; the Surrey Canal Triangle, Ilderton Road; 347-359 Ilderton Road. We are not intending on releasing any more land to meet our targets or strategy for provision of employment land. We will be considering all small sites in the development management development plan document where more detailed considerations rather than strategic sites will be assessed.
- Targeting new jobs and training opportunities arising from specific developments towards local people through S106 obligations is an

onerous burden which will make Southwark a less attractive place to invest. This is our strategy as we consider it to be important to link opportunities to local people to ensure that we are trying to take opportunities to reduce the gap between the number of jobs provided within Southwark and the number of people in work.

- There should be reference to affordable business units to ensure continuity of existing businesses. Our Employment Land Review suggests that the majority of SMEs are seeking premises of between 200sqm and 500sqm. Size of premises is particularly important for small and start up businesses, with smaller premises generally being more affordable. The emphasis will therefore be on providing space designed for the needs of SMEs, rather than providing subsidised floorspace.
- There should be reference to apprenticeship schemes, employment skills training centres, training and mentoring schemes. This is too detailed for the core strategy. This information is set out in the Southwark Plan policy which we are saving and the Section 106 Planning Obligations SPD.
- Policy should refer to providing a flexible range of business accommodation where appropriate and realistic. We encourage provision which meets the suggestion in this comment.
- Specific policies upon the need to protect small offices, such as at bullet point 3, are unnecessary and create a two tier market. We have worded the policy to emphasise the importance of flexibility. The requirement for flexibility does not negate the evidence that the majority of SME occupiers are seeking spaces of between 200sqm and 500sqm. In order to ensure a supply of premises suitable for SME occupiers, we consider the protection of these spaces to be justified.
- It is not appropriate to restrict the building of hotels given the overall shortage of tourist accommodation in London and the ease of accessibility of the CAZ in particular to many of the capital's main attractions. Southwark needs to provide an additional 2500 hotel bed spaces by 2026 to meet projected need. The CAZ is the most appropriate area to accommodate hotel growth. The policy sets the strategy to allow more hotels in areas such as the CAZ as long as they do not harm local character. This would meet the suggestion in the comment.
- The council should continue to protect the current widely consulted on tram depot at Peckham and not be starting from scratch with Parkhouse Street. The proposal for Parkhouse Street Depot has come out of nowhere with no consultation with the local community. The proposal is part of the Transport for London suggested way forward for the tram. This was consulted upon as part of the preferred options.
- The Policy should have regard to Draft PPS4, which recognises a range of uses as a form of economic development. We have taken PPS4 into account.
- The improvement and redevelopment of existing business space should be promoted to ensure a supply of high quality stock to meet occupier requirements. Our strategy promotes growth in a range of suitable locations which include the CAZ. Other locations include town centres, strategic cultural areas and AAP core areas.

Policy 11 Open spaces and wildlife

83. The GLA comments that have been addressed are:

- The policy should provide clear references to the London Plan. These

references are now included.

84. The GOL comments that have been addressed are:

- Whilst the aim is laudable it is questioned how successfully the Core Strategy will be in encouraging individuals to grow their own food. This is an important issue that the Executive decided to retain.

85. The comments by statutory consultees (excluding GOL and the GLA) that have been addressed are:

- Natural England would like to also give consideration to the potential for new green/open spaces as part of large scale development/redevelopment opportunities. We encourage this in the policy.
- The Environment agency would like additional references to the Thames. We have added additional references to strengthen our strategy. Further detail can be set out in supplementary planning documents and area action plans.
- English Heritage suggest that we need to recognise that many open spaces in the Borough are of historic value, including Registered Historic Parks and Gardens. We protect these in the policy.
- Natural England support for the protection of open spaces and the consideration of new Sites of Interest for Nature Conservation.

86. The other comments that have been addressed are:

- The vision for the River Thames is unnecessarily restrictive and is not justified. Further flexibility is required to achieve the strategic objectives in accordance with PPS12. This has been redrafted.
- Reference to the height of tall building in the Thames Policy area is not clear. The reference to 25 metres is not justified or flexible and therefore is not considered sound. A number of existing buildings in the Thames Policy Area exceed 25 metres whilst maintaining the character of the Thames Policy Area. The draft wording is also inconsistent with Core Strategy Policy 12 which identifies parts of the Thames Policy Area as suitable locations for tall buildings. This has been redrafted.
- The Core Strategy should identify other possible green chains and routes. Suggested green chains and routes from the network are included. More can be included in other planning documents if they are set out through the network.
- We need to clarify the boundary of Burgess Park MOL and SINC. This has been clarified in the proposals map changes.
- The tram corridor through Burgess Park should be designated as a traffic-free corridor. Please see the comment on the tram in the Executive responses to Planning committee comments.
- MOL protection should not be eroded by AAPs and building heights should be restricted along park boundaries to avoid overshadowing. The building heights in AAPs will be considered in the AAPs.
- The Core Strategy should protect back gardens from being built on. This is a detailed policy which will be considered in the supplementary planning documents or development management development plan document.
- There should be a reference to food growing and preparing a food strategy. This is included.

- Payments for improving open spaces and sports facilities should only be sought from developments which result in an increased population and where a need arises that can not be met existing facilities. Each development should be considered on a case by case basis. Section 106 and payments are too detailed and will be considered in area action plans and supplementary planning documents.
- We should acknowledge the opportunities that exist to enhance existing areas of green open space. This is included.

Policy 12 Design and conservation

87. The GLA comments that have been addressed are:

- The policy should provide clear references to the London Plan and Mayor strategies. These references are now included.
- The tall buildings approach is welcome. The wording should reference the London View Management Framework and must support the approach to tall buildings with a borough evidence study. The wording in the policy has been amended to be more consistent and to make our policy on tall buildings more clear. We have identified that London Bridge, the northern end of Blackfriars Road, Elephant and Castle and action area cores are appropriate locations for tall buildings. All proposed tall buildings will need to be measured against criteria to determine design excellence and appropriateness.

88. Comments by statutory consultees (excluding GOL and the GLA) that have been addressed are:

- English Heritage note the role of the historic environment in defining local distinctiveness and character, and its role in regeneration and place making, is underplayed. 'we will do this by' again focuses solely on designated assets and the wider historic environment is not considered. This is now considered in the policy and area visions.
- English Heritage welcome initiatives to update conservation area and archaeology priority zone boundaries.
- English Heritage consider that other practical steps could include a heritage strategy, work to define local views, characterisation, reducing heritage at risk in the borough, etc. Views (LVMF and local), setting and world heritage site issues have not been considered. These would be in background papers and other planning documents.
- English Heritage consider that 'We are doing this because' needs to acknowledge the development pressures faced in the Borough due to housing and employment targets etc. These are set out in the themes, objectives and strategy.
- English Heritage consider that in terms of the tall building locations we have serious concerns over the London Bridge/Thames River zone, which overlaps with conservation areas and could conflict with views of the World Heritage Site. This has been amended.
- English Heritage are also concerned that there is no evidence for an urban design study to justify their location. This study will be available in the background paper.

89. The other comments that have been addressed are:

- The Core Strategy has not justified why tall buildings are not suitable across most of the borough. This study will be available in the background paper.
- We should not encourage any tall buildings in the borough and this section should be deleted. In addition we should adopt a policy of opposing the building of tall residential private and social housing across the borough above heights that fire-brigade ladders can reach safely. Tall buildings should be allowed in line with London Plan guidance policy 4B.10. We set out a strategy for where we think they would be appropriate and beneficial for areas.
- Various comments about the tall buildings areas. We have set out a strategy with areas on the key diagram. These will be designated in the development management development plan document and area action plans with further guidance in supplementary planning documents.
- Consider that innovative design is appropriate in Conservation Areas and in the vicinity to buildings of historic value and should not be disregarded as inappropriate. This is set out in the core strategy.
- We need to clarify the design criteria show no consistency ranging from making sure that all new development is of “high quality design” to requiring “highest possible design” in other circumstances and then finally requiring “exceptional design quality”. These three measures imply very different levels of quality and certainly in terms of “highest” and “exceptional” will impose an unreasonable burden upon applicants to discharge. This more detailed information will be saved in the Southwark Plan and provided in the review of the development management development plan document and supplementary planning documents.
- We should ensure that all new development adheres to the guidelines as set out in 'Secured by Design' and 'Safer Places'. This strategy for safety is set out, detail will be provided in other planning documents.
- We should consider locations in the Canada Water Growth Area represent a suitable location for tall buildings due to making an efficient use of land, exploiting the prominent corner location formed by the divergence of Quebec Way and Redriff Road and close proximity to both the Surrey Quays Shopping Centre and the London Underground. The site may also afford potential outstanding views across to Canary Wharf and the River Thames at higher height levels and provides open green space for residents in the form of existing Metropolitan Open Land (MOL) to the north and east of the site. This is an area where tall buildings could be appropriate. Further detail will be set out in the area action plan.

Policy 13 High Environmental Standards

90. The GLA comments that have been addressed are:

- The waste apportionment targets should be met by identified land either independently or as part of a group. The wording has been redrafted to show how we will meet the apportionment figure.
- The policy should be split into two. The policy has been reordered to provide further clarity.
- The council should safeguard all existing waste management sites unless appropriate compensatory provision is made. This is too much detail and the policy in the Southwark Plan is being saved.
- The council should set out the criteria for the selection of sites for waste management and disposal. This is too much detail and the policy in the

Southwark Plan is being saved.

91. The GOL comments that have been addressed are:

- You may want to include the waste targets within the policy. We have included these within the policy.
- You will need to provide strong evidence to suggest that the policy for code for sustainable homes level 4 is achievable. We have evidence to provide this in our background paper.
- The wording of the waste policy could be more clearly set out to show the 5 London boroughs that are working together on a Technical Waste paper to meet the apportionment figure. The wording has been redrafted to show how we will meet the apportionment figure.

92. The comments by statutory consultees (excluding GOL and the GLA) that have been addressed are:

- The Environment Agency ask for us to consider including further targets to reduce waste produced, space provided and for introducing local initiatives. These would be included in the more detailed development management development plan document and sustainability SPDs.
- The Environment Agency ask for us to consider Sustainable Urban Drainage Strategies for all developments. We do this in the sustainable design and construction SPD.

93. The other comments that have been addressed are:

- We should reference the climate change strategy target. This is included.
- We should include reference to passive design and natural ventilation. This more detailed information is in the design and sustainability supplementary planning documents.
- We should refer to PPS25 and development needing to reduce flood risk. This is included.
- The Core Strategy should require development to be designed to cope with climate conditions over lifetime of the development. We should make reference to specific retrofitting projects. This more detailed information is in the design and sustainability supplementary planning documents.
- We need to be flexible in our approach and not impose rigid targets, energy, water, waste reduction requirements that might affect the viability of development. We are set targets nationally and within London in addition to setting our own targets. We have a system within this that considers viability of developments so that we are being reasonable when making decisions.
- Consider a policy protecting installed wind and solar systems from being blocked by new developments or for the systems to be moved to remain viable and also a policy to protect installed solar and wind systems from being blocked by neighbouring tree growth. This more detailed information is in the design and sustainability supplementary planning documents.
- We should include a commitment to preserving Burgess Park for open space uses and as a biodiversity hotspot for the Borough's residents and stating clearly that the any improvements of the park are for all the borough's citizens. The Park is referenced in the Aylesbury vision.
- Consideration should be given to opportunities for energy from efficient sources on or off site and subject to a cost benefit analysis of suitable

technologies or measures. In addition, consideration should be given to the whole carbon lifecycle of the development and overall scheme viability. This more detailed information is in the design and sustainability supplementary planning documents.

Policy 14 Delivery and Implementation

94. The GLA comments that have been addressed are:

- A delivery plan should be included at the next stage. We have included a whole section on implementation to include a policy on implementation and a table showing how we will implement each of our policies and the main growth area visions.

95. The other comments that have been addressed are:

- We should consult on the Community Infrastructure Levy if we are going to require it. We are not requiring CIL, we are awaiting further guidance from the Government. If we introduce CIL we will update our Section 106 Planning Obligations SPD.

Delivery, monitoring and implementation

96. The GLA comments that have been addressed are:

- A delivery and implementation plan must be provided at the next stage. We have included a whole section on implementation to include a policy on implementation and a table showing how we will implement each of our policies and the main growth area visions.

97. The GOL comments that have been addressed are:

- The delivery and implementation and policy need to be more detailed. They need to ensure that they include information about infrastructure and hooks for the DPDs and SPDs. This information has been provided.

Planning committee comments with Executive response

98. The comments from Planning committee to the draft Publication/submission version Core Strategy are set out below with the Executive response.

Section	Comment	Proposed change	Executive Response Change made yes/no
Section 2.2, bullet 10	Should mention Rotherhithe as part of the area with suburban character	How we can protect the suburban character of <u>Rotherhithe and the south of the borough</u>	Yes
Policy 2 Sustainable transport – we are doing	Reword to set out: the current situation, what we are doing now, our approach to keeping what	The paragraph has been reworded and was provided for executive as tracked changes.	Yes

Section	Comment	Proposed change	Executive Response Change made yes/no
this because, paragraph 7	we have now, that we are open to new public transport and that we will encourage new infrastructure to improve accessibility.		
Policy 2 Sustainable transport – we are doing this because, paragraph 10	Take out the road user hierarchy	<i>Transport assessments show whether developments have implemented the road user hierarchy giving priority in the following order: pedestrians, cyclists, public transport and community transport, powered two wheelers, taxis, freight vehicles and private cars.</i>	Yes
Policy 2 Sustainable transport – we are doing this because	Cross River Tram – should not be so positive about this being delivered. Should change the will to a would.	Delete previous references to Cross River Tram and insert: 'A corridor where public transport improvements area needed has been identified running from the Elephant and Castle through the Aylesbury area and north Peckham. This was identified as a possible route for the Cross River Tram linking the area with Waterloo, the West End, Kings Cross and Camden. This proposal is no longer supported by the Mayor's Transport Strategy but Southwark will continue to work with Transport for London on identifying alternative public transport improvements to improve the accessibility of these areas.'	Yes
Policy 2 Sustainable transport – we are doing	Insert the findings of the bus scrutiny review.	Insert: 'The majority of Southwark is well served by the London Bus	Yes

Section	Comment	Proposed change	Executive Response Change made yes/no
this because		Priority Network. The network is particularly extensive in the northern half of the borough where there are approximately 50 high frequency and 12 low frequency bus services.'	
Figure 2 Affordable housing requirements	Clarify the boundary in Livsey ward	Error on the map was amended	Yes
Policy 7 Family housing – general comment	Would support the principle of different levels of family housing based on density. Therefore there could be areas with lower density and lower family housing and vice versa due to provision of amenity space.	<p>Delete as follows: Developments of 10 or more units must have:</p> <ul style="list-style-type: none"> • At least 60% 2 or more bedrooms • At least 30% 3, 4 or 5 bedrooms. This must be split between private, • social and intermediate housing • Within the Elephant and Castle Opportunity Area at least 10% must have 3, 4 or 5 bedrooms • A maximum of 5% as studios and only for private housing <p>Insert:</p> <ul style="list-style-type: none"> • At least 60% 2 or more bedrooms • 3, 4 or 5 bedrooms as set out in figure 3. This requires: • At least 10 % 3, 4 or 5 bedrooms in Potters Field, London Bridge, Elephant and Castle opportunity area and the north of Blackfriars Road • At least 20% 3, 4 or 5 bedrooms in the urban zone and the central activities zone except where set out above 	Yes

Section	Comment	Proposed change	Executive Response Change made yes/no
		<ul style="list-style-type: none"> At least 30% 3, 4 or 5 bedrooms in the suburban zone 	
Policy 8 Student housing – we will do this by, bullets 2 and 3	Reword to provide clarity that the affordable housing is for general needs rather than for students.	Insert in bullet 2: 'in line with policy 6 and figure 2.'	Yes
Policy 8 Student housing – we will do this by	Provide clarity that this is not just purpose built student accommodation as many of the developments are conversions and change of use.	Delete: 'purpose built' from all references to student housing	Yes
Thames Policy Area fact box	Add in protection of the Thames walkway.	Insert: '..protection and enhancement of the river walkway, ...'	Yes

99. We are suggesting that a number of the Southwark plan policies are saved and a number are removed based on the introduction of the core strategy policies and our assessment based on the government guidance. These are set out in appendix G. We will be saving all of the policies until the core strategy is adopted in January 2011.

Community Impact Statement

100. The purpose of the Core Strategy is to facilitate regeneration and deliver the vision of Southwark 2016 in a sustainable manner ensuring that community impacts are taken into account.

101. Sustainability appraisals have been prepared at each stage to ensure the wider impacts of development are addressed as set out in appendix D. This is available on the website and in the members' offices'.

102. Equalities Impact Assessments been prepared at each stage to ensure the wider impacts of development are addressed as set out in appendix E. This is available on the website and in the members' offices'. At each stage, participation has been monitored and analysed to see whether any particular groups have not been engaged and whether this can be addressed at the next stage as set out in the consultation report appendix C. This is available on the website and in the members' offices'.

103. The appropriate assessment (appendix G) has been carried out under the EU Habitats Directive assessing the impact of the publication/ submission version

on EU Protected wildlife habitats. This is available on the website and in the members' offices'.

Resource/Financial Implications

104. There are no specific financial implications associated with this paper. The financial implications of any particular policy or strategy should be addressed as part of any specific proposal.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Communities, Law and Governance

105. The main legal and policy implications are set out in the body of the report as the preparation and the adoption of the Core Strategy is a statute led process. This supplementary advice is therefore focused on reminding members of the processes involved.
106. Members are advised that under the provisions of Part 6 of the Town and Country Planning (Local Development) (England) Regulations 2004 (as amended) ("the Regulations") there are procedural requirements which must be complied with in the process of preparing the Core Strategy which are summarised as follows:
- i. pre-submission consultation with particular bodies (complete);
 - ii. pre-submission public participation (to begin when Council Assembly approval has been obtained);
 - iii. submission of the Core Strategy to the Secretary of State;
 - iv. representations on the Core Strategy;
 - v. representations on the site allocation representations which have been made;
 - vi. the examination;
 - vii. adoption of the Core Strategy

The Consultation Plan / Report

107. The production of the Core Strategy is required to follow principles for community engagement in planning. In particular Regulations 24 and 25 of the Town and Country Planning (Local Development) (England) Regulations 2004 ("the Regulations") require the Council to consult with the community and stakeholders during the preparation and publish an initial sustainability report. Regulation 26 and Section 19(3) of the Planning and Compulsory Act 2004 ("the Act") specifically require local planning authorities to comply with their adopted SCI.
108. Where the SCI exceeds the consultation requirements of the Regulations, it must be complied with. The involvement of the public and stakeholders across different sectors in preparing the Core Strategy must follow the approach set out in the Council's SCI. This means that the Council is required to have undertaken timely and effective consultation. The approach outlined in the attached consultation documents is legally compliant and appropriate.

Publication and Submission of the Core Strategy

109. The Core Strategy is now at the formal stage of publication before submission to the Secretary of State. The council is required to make available for public inspection in person and on its website the proposals for the DPD, the supporting documents (contained in the appendices) and details of how to make representations as to the soundness of the document. Representations can be made within a six-week period (Regulation 27(2)). This process is distinguished from a participation or consultation process and simply allows an opportunity for representations as to the soundness of the document. Nonetheless, in line with its usual practices about public engagement under the SCI, the council intends to informally publicise the Core Strategy for an additional period of 6 weeks.
110. The Core Strategy will then be sent to the Secretary of State for examination in public as required by section 20(1) of the Planning and Compulsory Planning Act. This will be accompanied by all the supporting documents including the sustainability appraisal report, the SCI and statements setting out the main issues raised and how these have been addressed in the Core Strategy and any supporting documents (Regulation 28(1)). It will also include a submission proposals map and any formal representations made in response to publication will also be sent to and considered by an inspector.
111. On the Executive's recommendations, members of the council assembly are requested to simultaneously approve the Core Strategy publication / submission version for publication and subsequent submission to the Secretary of State. This approach is acceptable provided that representations made do not raise doubt as to soundness or necessitate substantive changes to the Core Strategy before submission. In the event that substantive changes to the submission version of the Core Strategy are necessary following publication, the document cannot be submitted to the Secretary of State without Council Assembly making a fresh determination in light of the representations.
112. In relation to the proposals to save policies, Members attention is particularly drawn to the paragraphs in the body of the report that focus on the saved policies.

Functions of Executive and Council Assembly

113. Executive having considered the Core Strategy publication / submission version (with supporting documents) and the proposals as to saved policies on 20 October 2009, recommend to Council Assembly (i) its publication and submission for examination in public by the Secretary of State together with any representations received on the publication document and (ii) that the Southwark Plan policies set out in Appendix F be saved.
114. Under Parts 3B and 3C of the Constitution, the Executive has responsibility for formulating the council's policy objectives and making recommendations to Council Assembly. More specifically, the function of approving the preferred options of development plan documents is a function reserved for full Executive (Para 20, Part 3C).
115. The Core Strategy is at the publication / submission phase. By virtue of Regulation 4, paragraph 3(c) of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 ("the 2000 Regulations") (as amended by the Local Authorities (Functions and Responsibilities) (Amendment) (No 2) (England) Regulations 2005 - Regulation 2, paragraph 4),

the approval of a development plan document for submission to the Secretary of State for independent examination is a shared responsibility with Council Assembly and cannot be the sole responsibility of the Executive.

116. Under Part 3A, paragraph 9 the function of agreeing development plan documents is reserved to Council Assembly. Accordingly, the Council Assembly is requested to approve the Core Strategy (appendix A) for publication and submission for examination in public by the Secretary of State and to agree the Southwark Plan policies to be 'saved' as recommended by the Executive. The purpose of publication is to allow for any representations on the soundness of the document to be made. Any representations received are to be submitted to the Secretary of State for consideration at examination in public.
117. Members are advised that the processes followed appear to be in compliance with the legal requirements, accompanying regulations and statutory guidance. Before making their decision as to the simultaneous publication and submission of the Core Strategy members must be confident the Core Strategy is a sound document and in general conformity with the London Plan.

The Core Strategy Publication / Submission

118. In devising its Core Strategy the council is required to be consistent with national policy and in general conformity with the London Plan. This means that the choices made regarding, for example where growth should take place should follow national and regional policy.
119. The Core Strategy is key to delivering corporate and community aspirations. Therefore the key spatial planning objectives for the Southwark area should be in alignment with priorities identified in the SCS.
120. The Core Strategy must be justifiable. It must be founded on a robust and credible evidence base and should be the most appropriate strategy when considered against the reasonable alternatives.
121. The ability to demonstrate that the plan is the most appropriate when considered against reasonable alternatives delivers confidence in the strategy. It requires the Council to seek out and evaluate reasonable alternatives promoted by themselves and others.
122. The Core Strategy must be effective. This means that it must be deliverable, flexible and able to be monitored.
123. Deliverability is demonstrated by showing how the vision, objectives and strategy for the area will be delivered, by whom and when. This includes making it clear how infrastructure which is needed to support the strategy will be provided and ensuring that what is in the plan is consistent with other relevant plans (such as other DPDs) and strategies relating to adjoining areas.
124. Flexibility is demonstrated by showing that the Core Strategy can deal with changing circumstances. Core strategies should look over a long time frame – 15 years usually but more if necessary.
125. It is important to note that it is not always possible to have certainty about the deliverability of the strategy. In these cases the Core Strategy should show

what alternative strategies have been prepared to handle any uncertainty and what would trigger their use.

126. A Core Strategy must have clear arrangements for monitoring and reporting results. Monitoring is essential for an effective strategy and will provide the basis on which the contingency plans within the strategy would be triggered. The delivery strategy should contain clear targets or measurable outcomes to assist this process.

Soundness of the Core Strategy

127. Under the Planning and Compulsory Purchase Act 2004 S 20(5)(a) when the Core Strategy is finalised and submitted to the Secretary of State, an Inspector will be charged with firstly checking that the plan has complied with legislation and is otherwise sound. Section 20(5)(b) of the Act requires the Inspector to determine whether the plan is 'sound'. The 'soundness test' includes in particular ensuring that the plan:

- a. has been prepared in accordance with the Local Development Scheme
- b. is in compliance with the Statement of Community Involvement and the Regulations;
- c. has been subject to Sustainability Appraisal;
- d. has regard to and is consistent with national policy;
- e. conforms generally to the Spatial Development Strategy, namely the London Plan;
- f. has regard to other relevant plans, policies and strategies such as other DPDs which have been adopted or are being produced by the Council;
- g. has regard to any sustainable community strategy for its area; and
- h. has policies, strategies and objectives which are coherent, justified, consistent and effective.

128. These are the overarching principles that should be in members' minds when approving the documents before them.

129. On the basis of the evidence that has been reviewed there is no reason to believe that a Core Strategy based on the present publication/submission version will not be sound.

Sustainability Appraisal

130. The Planning and Compulsory Purchase Act 2004 requires a Sustainability Appraisal (SA) to be prepared for all emerging development plan documents and therefore this applies to the Core Strategy. A strategic environmental assessment (SEA) is required by the Environmental Assessment of Plans and Programmes Regulations 2004 and this normally forms part of the Sustainability Appraisal.

131. The Sustainability Appraisal required by section 19(5) of the Planning and Compulsory Purchase Act 2004 should be an appraisal of the economic, social and environmental sustainability of the plan.

132. The Sustainability Appraisal should perform a key role in providing a sound evidence base for the plan and form an integrated part of the plan preparation process. Sustainability assessment should also inform the evaluation of

alternatives. It will also provide a means of proving to decision makers, and the public, that the plan is the most appropriate given reasonable alternatives.

133. The interim Sustainability Appraisal that has been provided is legally adequate to support the publication/submission version. When consultation responses have been received and the submission draft of the Core Strategy is prepared further work will be carried out to ensure that it addresses alternative options, delivery issues and the implications of other elements of the development plan that are already being progressed. It will also make clear those elements of the document that are intended to meet the requirements for Strategic Environmental Assessment.

Equality Impact Assessment

134. The council published its Equality Scheme 2008-2011 in May 2008. This sets out the council's overall policy for addressing equality, diversity and social cohesion in the borough. This policy recognises that people may face discrimination, or experience adverse impact on their lives as a result of age, disability, ethnicity, faith, gender or sexuality.
135. The carrying out of an EqlA in relation to policy documents such as the Core Strategy improves the work of Southwark by making sure it does not discriminate and that, where possible, it promotes equality. The EqlA ensures and records that individuals and teams have thought carefully about the likely impact of their work on the residents of Southwark and take action to improve the policies, practices or services being delivered. The EqlA in respect of the Core Strategy needs to consider the impact of the proposed strategies on groups who may be at risk of discriminatory treatment and has regard to the need to promote equality among the borough's communities.
136. The submitted EqlA meets the reasonable requirements for this stage of the Core Strategy.

General Conformity of the Core Strategy

137. Section 24(1)(b) of the Act requires that local development documents (LDDs) issued by the Council, such as the Core Strategy, must be in general conformity with the spatial development strategy, namely the London Plan (consolidated with alterations since 2004). On submission of the final draft of the Core Strategy to the Secretary of State for independent examination, the Council will be required to simultaneously seek the Mayor's opinion in writing as to whether the Core Strategy is in general conformity (Reg 30, the Regulations). The purpose of the independent examination is to ensure legal compliance with the legislative framework, including consultation and soundness of the Core Strategy (Section 20(5)(b) of the Act).
138. General conformity must be determined as a matter of law and policy practice, although it is not a term defined anywhere within the legislative framework. However, the Court of Appeal decision of *Persimmon Homes (Thames Valley) Ltd & Oths v Stevenage Borough Council* [2005] EWCA 1365 which considered the judicial construction of the term contains authoritative guidance which should be noted by members. The term is to be given its ordinary meaning and take into account the practicalities of planning control and policy, namely the long lead times for the implementation and the exigencies of good planning policy which are liable to change. The 'general conformity' requirement must

accommodate these factors and allow a 'balanced approach' favouring 'considerable room for manoeuvre' within the measures taken in the local plan (namely the saved policies of the Southwark Plan 2004 and the emerging local development framework) to implement the structure plan (the London Plan) so as to meet the changing contingencies that arise. The word general is designed to allow a degree of flexibility in meeting London Plan objectives within the local development plan. The fact that the statutory regime makes provision for the possibility of conflict between the London Plan and local plan to be resolved in favour of the latter subject to general conformity envisages that 'general conformity' allows for flexibility at local level and not strict compliance with every aspect of the London Plan (Section 46(10) of the 1990 Act as substituted by the Act) provided that the effectiveness of the London Plan strategic objectives on housing are not compromised and there is local justification for any departure.

139. Before agreeing to the publication and submission of the Core Strategy members must be satisfied that the document is in general conformity with the London Plan.

Human Rights Considerations

140. The policy making process potentially engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant. In the case of the Core Strategy, a number of rights are potentially engaged: -

- **The right to a fair trial (Article 6)** – giving rise to the need to ensure proper consultation and effective engagement of the public in the process;
- **The right to respect for private and family life (Article 8)** – for instance the selection of the policies for publication/submission version from a number of alternatives could impact on housing provision, re-provision or potential loss of homes. Other considerations may include impacts on amenities or the quality of life of individuals;
- **Article 1, Protocol 1 (Protection of Property)** – this right prohibits interference with individuals' right to peaceful enjoyment of existing and future property / homes. It could be engaged, for instance, if the delivery of any plan necessitates CPOs;
- **Part II Protocol 1 Article 2 Right to Education** – this is an absolute right enshrining the rights of parents' to ensure that their children are not denied suitable education. This will be a relevant consideration in terms of strategies in the plan which impact on education provision.

141. It is important to note that few rights are absolute in the sense that they cannot be interfered with under any circumstances. 'Qualified' rights, including the Article 6, Article 8 and Protocol 1 rights, can be interfered with or limited in certain circumstances. The extent of legitimate interference is subject to the principle of proportionality whereby a balance must be struck between the legitimate aims to be achieved by a local planning authority in the policy making process against potential interference with individual human rights. Public bodies have a wide margin of appreciation in striking a fair balance between competing rights in making these decisions.

142. This approach has been endorsed by *Lough v First Secretary of State* [2004] 1 WLR 2557. The case emphasised that human rights considerations are material considerations in the planning arena which must be given proper consideration and weight. However, it is acceptable to strike a balance between the legitimate aims of making development plans for the benefit of the community as a whole against potential interference with some individual rights.
143. Public bodies have a wide margin of appreciation in striking a fair balance between competing rights in making these decisions. The approach and balance between individual and community rights set out in the publication/submission version is within justifiable margins of appreciation.
144. Before making their decision members are advised to have regard to human rights considerations and strive to strike a fair balance between the legitimate aims of making development plans for the benefit of the community against potential interference with individual rights.

REASONS FOR URGENCY

145. The core strategy needs to be considered by the council assembly on November 4 2009 to ensure that the council meets the requirements of its Local Development Scheme. The Local Development Scheme sets out our consultation and adoption timetable for our planning documents. This enables the council to inform the public about when we will be consulting so that they can prepare themselves to be involved in the consultation. Failure to meet the timetable would mean that we are not providing the public with clear consultation dates with suitable notice. The current timetable requires the core strategy to be published from November 2009 until February 2010 in order to invite representations prior to submission to the Secretary of State in March 2010. Furthermore failure to meet the submission time table may lead to financial penalties in the form of reduction in the housing & planning delivery grant.

REASONS FOR LATENESS

146. The date for Executive consideration was October 14 for housing and October 20 for the remainder of the Core strategy. This report is late as the consultation responses from the GLA and GOL, to ensure legal soundness, and Planning Committee comments, from October 6 as part of the informal consultation before the document is presented to members, needed to be considered by Executive as an addendum and changes required incorporated into the publication / submission version. Comments by planning committee and executive needed to be included within this report and supplementary comments reviewed and updated. It was not possible to complete this by the council assembly despatch date of October 23 2009.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
London Plan 2008	Planning Policy Team	Sandra Warren 020 7525 5380
Southwark Statement of Community Involvement	Planning Policy Team	Sandra Warren 020 7525 5380
Southwark Local Development Scheme 2008	Planning Policy Team	Sandra Warren 020 7525 5380
Southwark Plan 2007	Planning Policy Team	Sandra Warren 020 7525 5380
Core Strategy Issues and Options 2008	Planning Policy Team	Sandra Warren 020 7525 5380
Core Strategy Preferred Option 2009	Planning Policy Team	Sandra Warren 020 7525 5380
Core strategy Sustainability Appraisal Scoping 2008	Planning Policy Team	Sandra Warren 020 7525 5380

APPENDICES

No.	Title
Appendix A	Core strategy publication/submission version and proposals map changes (available on the internet and with report)
Appendix B	Core strategy publication/submission version consultation plan (available in the members offices and on the internet)
Appendix C	Core strategy publication/submission version consultation report (available in the members offices and on the internet)
Appendix D	Core strategy publication/submission version interim sustainability appraisal (available in the members offices and on the internet)
Appendix E	Core Strategy publication/submission version equalities impact assessment (available in the members offices and on the internet)
Appendix F	Core Strategy publication/ submission version appropriate assessment (available in the members offices and on the internet)
Appendix G	Saved policies (available on the internet and with report)

AUDIT TRAIL

Lead Officer	Richard Rawes, Strategic Director of Regeneration and Neighbourhoods	
Report Author	Julie Seymour, Head of Planning Policy	
Version	Final	
Dated	October 27 2009	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	Yes	Yes
Departmental Finance Manager	Yes	Yes
Executive Member	Yes	No
Date final report sent to Constitutional Team		October 27 2009