

Item No. 26	Classification: Open	Date: 4 March 2003	MEETING NAME Community Support and Safety Scrutiny Sub-Committee
Report title:		Review of the Southwark Plan (UDP)	
Ward(s) or groups affected:		All	
From:			

SUPPLEMENTAL NOTE FOR MEMBERS

Subject: *Reviewing the Southwark Plan (Unitary Development Plan)*

1. BACKGROUND

At the meeting of the Overview and Scrutiny Committee (OSC) on Monday 9th December 02, Members received a briefing on the Southwark Plan (UDP). The Plan sets out how the Council will use its planning powers to influence development across the borough over the next ten years. It explains how planning decisions are made and the objectives that the Council is seeking to achieve.

The Southwark Plan has three separate sections (parts 1, 2 and Supplementary Planning Guidance (SPG)). Part 1 describes the Council's overall strategic direction. Part 2 expresses the Council's objectives in more detail and defines the policies that the Council will pursue. The SPG is more detailed guidance to ensure that development takes place in accordance with the objectives and policies in Parts 1 and 2.

A draft Plan for deposit was approved by Council Assembly on 30 October 2002. It remains on deposit until 10 January. Supplementary planning guidance is out for consultation over the next three months. Most of 2003 will be taken up with negotiating with objectors to the current draft.

OSC made a request that each of the Scrutiny Sub Committees review the relevant parts of the Southwark Plan. Reviews arising from individual Sub Committees will be fed into the Housing and Regeneration Sub-Committee which will compile one overall report back to OSC. The deadline for completion of the review(s) of the Southwark Plan by scrutiny Sub Committees is the end of this municipal year.

The Chair of this Sub Committee made a request to officers that the Southwark Plan be reviewed in order to determine if the Sub Committee should consider it as part of their work programme. Accordingly, the Plan has been looked at to determine how well it takes into account issues of community support and safety. This information was supplied previously but is attached to this briefing note again for further reference.

In addition, at the Sub Committee meeting on February 5th, Members discussed additional areas of concern to them to do with the UDP. These were:

- Planning policy on designing out Crime;
- How well current planning policies support people with disabilities and help progress the aims and objectives of the Community Strategy;
- Planning policy requiring developers to consult more with local residents as part of their planning application;
- The formal process for using planning policy when considering planning applications.

A letter was sent to Councillor Hubber, Chair of the Planning Committee, inviting him to attend the Sub Committee meeting in March to assist Members with the review. Unfortunately he has had to decline because of a prior commitment but has put some views in writing to the Sub Committee. These are attached. Officers in Regeneration have also been asked to research the issues arising and they will be available to brief Members at the meeting in March.

The **Southwark Plan** has 5 main sections:

- Tackling Poverty and Encouraging Wealth Creation
- Life Chances
- Clean and Green
- Housing
- Transport

For the purposes of this Sub Committee possible areas for review issuing from the Southwark Plan are found mainly in the following sections:

2. **Life Chances** – Preserving and Creating Community Assets
3. **Clean and Green** – which deals with Access and Facilities for People with Disabilities and Designing out Crime:
5. **Transport** – Improving Access and Convenience

Section 2. Life Chances

This chapter has as its vision Southwark as a place where communities are given the ability to tackle deprivation through gaining maximum benefits from inward investment and regeneration, including an objective ‘To allocate land for education, community and welfare services...’

The Southwark Plan acknowledges that ‘there is intense pressure on land for development (and that) it is important that we protect and take opportunities to provide community facilities’.

Policy 2.3 “Community facilities will be preserved and enhanced. In exceptional circumstances a development may be permitted to replace a community facility if it meets the following criteria:

Section 2 A demonstrated lack of requirement for the facility by local communities (by the applicant);

Section 2 An establishment with similar or enhanced provision is provided locally (by the applicant)”

Policy 2.4 – “Planning permission will be granted for new community facilities provided they meet both of the following criteria:

Section 2 Opportunities are taken wherever possible to ensure that provisions are made to enable the facility to be used by all members of the community;

- ii. The proposal meets the requirements of other Southwark UDP policies, especially for amenity and transport.”

Section 2 of the Southwark Plan also provides a map of six local priority areas (attached) and the planning priorities for each of those areas. In the current draft deposit of the Plan, reducing crime and improving safety is a planning

priority in areas 1, 3, 4 and 5. Increasing the quality and quantity of community facilities is a priority in areas 2, 3, 4 and 5. Members may wish to enquire further how these planning priorities were determined for each area.

Section 3. Clean and Green

Policy 3.16 – “The design of new developments and alterations to existing development should promote community safety, having regard to the principles and objectives of ‘Secure by Design’. These principles include designing public space and access ways so that they are overlooked by development, provided with good lighting and clear sight lines to ensure good visibility. Further information is provided in the *Designing Out Crime* SPG”.

Access and Facilities for People with Disabilities and Mobility difficulties

“The Council aims to ensure that, wherever possible, all buildings and spaces are accessible to all sections of the Community. In all new developments, provision should be made for the needs of people with disabilities, the elderly, the infirm, children and people with prams, pushchairs or shopping trolleys.

These requirements are underlined by the provisions of the Chronically Sick and Disabled Persons Act 1970 (as amended), the Disabled Persons Act 1981 and the Disability Discrimination Act 1995. These oblige anyone providing premises open to the public, or facilities in which people with disabilities may be employed or educated, to make appropriate provision for people with disabilities. There is a positive duty to make reasonable adaptations to provide access to work and services. This includes changes of use or major extensions to buildings. The 1991 Building Regulations, particularly Part M, also sets down requirements in respect of new buildings for people with disabilities and the alteration of certain non-domestic buildings.”

Section 5 – Transport: Improving Access and Convenience

Policy 5.3 Pedestrians and Cyclists –

“Developers will be required to provide and improve facilities within and surrounding the development for pedestrians and cyclists.... So that they can be considered as viable, attractive and **safe** alternatives to motor vehicles and, in particular, cars...”

Policy 5.4 – Infrastructure Contribution

“Developers will be required to contribute towards and assist in facilitating improvements to the following, in order to mitigate the impact of any development likely to increase the movement of people including:

vi improving access for the mobility impaired”

Policy 5.6 – Parking

“Private and customer car parking space in developments will be restricted, and cycle parking, motorcycle and car club spaces provided to an appropriate level to the scale and the function of the development. **This should avoid excessive trip generation and allow the efficient use of the site including access by people with mobility difficulties.**”

To members of the Community Support and Safety Scrutiny sub-committee

From Cllr David Hubber, Chair, Planning committee

The draft Southwark Plan (UDP) and Supplementary Planning Guidance

I thank members for inviting me to express my views and am sorry that I cannot be at the meeting on 4 March, as I shall be chairing a meeting of the planning committee at that time.

You asked me to comment on several specific areas.

- Planning policy on designing out crime

The draft UDP sets out the basics (Policy 3.16) and this is expanded on very fully in draft Supplementary Planning Guidance (SPG 17).

It is acknowledged that the built environment can have a great influence both on behaviour and on public perception of the threat to safety.

The 1995 UDP contained some advice (which is repeated in the new documents) but since then there have been new duties imposed on the Council by the Crime and Disorder Act 1998 to have regard to the community safety implications of its decisions. The new SPG provides more detailed guidance for developers, home owners and planning applicants on how to use design to reduce opportunities for crime and create a safer environment.

The SPG sets out twelve key issues that need to be addressed and provides information on the *Secured by Design* scheme and the *Secured Car Parks* scheme. It advises that application should be made at the earliest possible stage of scheme design to the Architectural Liaison Officer of the Metropolitan Police. If a developer meets the Secured by Design standard or the Secured Car Park award, advertising material can state this (and include the MPS logo) and so can be used as a positive marketing tool.

The planning department usually consults the Metropolitan Police on any application that may have community safety implications and the committee is advised of their views.

I feel that planning policies have been strengthened in this area and that the committee will continue to give it serious attention.

- Planning policies and people with disabilities

Policy 3.15 of the draft UDP - Urban Design - and Draft SPG 14 cover access and facilities for people with disabilities and mobility difficulties.

The new policy builds on that contained in the 1995 UDP and now takes into account the draft London Plan which sets out the Mayor's requirements in relation to standards of accessibility in new developments. This includes the paragraph "Boroughs should require development proposals to include an Access Statement showing how the principles of inclusive design, including the specific needs of disabled people, have been integrated into the proposed development, and how inclusion will be maintained and managed". This obligation will need to be taken into account in our policies and a system for requiring and dealing with the provision of access statements will need to be formulated by our planning department.

The SPG sets out quite detailed design guidelines for both the inside and outside of buildings and there is an additional section covering Access and the Historic Environment (listed buildings, etc.).

A rather more ambitious and problematical aim set out in our draft UDP is the policy that the Council will also encourage other agencies to undertake works to *existing* buildings, streets, parks, etc. to provide adequate access, facilities and information for all people with disabilities and mobility difficulties. Given the already overstretched resources of the planning department and the need for close liaison with other departments of the council and outside agencies, I fear this will, at least in the short to medium term, prove a worthy but hard to achieve aim. It may be something that the Executive and the Council as a whole has to consider.

- Planning policy requiring developers to consult more with local residents as part of their planning application.

Councils are, of course, under a legal obligation to consult on applications, although the way in which this obligation is met varies considerably from authority to authority. I believe it has been generally acknowledged that our consultation procedures have not in many instances been as good as they should have been and steps have been and are being taken to address this problem. A computerised system, including a new geometric mapping program is now coming into use and it is hoped this will lead to greater accuracy and much improved consultation.

As I understand it, the Council has very limited power when it comes to forcing applicants to undertake public consultation. However, the planning officers and the committee have more and more urged developers to undertake full and adequate consultation with the community, because if they do so, it can often result in objectors' fears and opposition being addressed in ways which make it much more likely that an application will be approved.

There have been a number of instances recently where developers have gone to great lengths to keep the local community informed and involved and this has led to better schemes coming forward and little or no ultimate opposition to development plans. On the other hand, there have also been cases where developers have not seen fit to engage the public and have been surprised at the strength of feeling against their proposals. The committee from time to time has deferred consideration of applications and urged applicants to undertake consultation before a decision is reached, but I believe this is about as far as we are able to go under present planning legislation.

- The formal process for using planning policy when considering applications.

The planning system in this country is based on legislation, government guidance and local planning policies. It cannot be emphasised too strongly that decisions on planning applications have to be made on planning grounds alone and that political or other considerations must not have a bearing on such decisions. This often places members in a difficult position because they may feel quite genuinely that there are reasons why a particular development would or would not be desirable, but if those are not planning reasons then their views have to be set aside. Members also sometimes find themselves in difficulties because it is hard to explain to the public why certain decisions are made.

It is all the more important, therefore, that our UDP and Supplementary Planning Guidance should be clear and widely understood, so that planning decisions are soundly based and, in the cases of refusal of applications, can be defended successfully on appeal.

I believe that the new draft UDP and SPGs, when finalised, will provide a good base for our planning procedures for the next few years, bearing in mind always that government policies will change, the Mayor of London's views will change and our own circumstances will alter, each of which factors will almost certainly give rise to the need for amendments to our plan from time to time. It is because, unlike the 1995 version -which was a large and detailed document, the new draft UDP seeks principally to set out broad policies which are then expanded upon in detail in the various SPGs, that we should have the flexibility to do this as and when necessary.

An essential part of the process is the training of members of the planning committee and, with the imminent introduction of community councils, the training of all members who will be dealing with planning matters.

As the sub-committee will be aware, the Council uses a system of involving the public as much as practicable, including inviting objectors, as well as applicants and ward members, to address the planning committee and answer questions before decisions are made. I am sure

this will continue both in the main committee and the community councils. Because of the number of applications to be considered and the time constraints under which we have to operate, it is probably still true that some people will not be satisfied with the process, but I think that the majority feel that the committee, acting as it does in a quasi-judicial capacity, deals with matters as fairly, objectively and openly as possible.

I hope that these thoughts may be of assistance to the sub-committee and if there are any specific points on which I can help further, I shall be happy to do what I can to assist.