

Item No. 6.1	Classification: Open	Date: 31 March 2004	Meeting Name: Council Assembly
Report title:		Second Draft For Deposit Southwark Plan 2004 (Unitary Development Plan)	
Ward(s) or groups affected:		All	
From:		Strategic Director of Regeneration	

RECOMMENDATION

1. The Executive recommends that Council Assembly approve the revised draft of the Southwark Plan to be placed on deposit as the second deposit draft of the plan.

Note: Members are requested to note that the appendices are to be circulated separately from the main agenda due to their size and Members should bring both documents to Council Assembly on 31 March 2004

BACKGROUND INFORMATION

2. The current Southwark Unitary Development Plan (UDP) was adopted on 19 July 1995 and was intended to operate for a period of ten years. Significant growth and change has occurred within Southwark over the last eight years since this it was adopted. This and the changing government and mayoral policies towards cities, the use of land and transport and the Southwark Community Plan has resulted in a plan that requires an urgent review.

3. Pre-deposit consultation was carried out in 2000/2001. This involved:

Environmental Appraisal (completed April 2000) – The environmental appraisal analysed the existing plan to see what the effects of all its policies and proposals were on the environment in line with criteria which were discussed and agreed with the public;

Key Issues Paper (Issued June 2001, Consultation completed August 2001) – The Key Issues Paper focused on the future directions for the use and development of land in Southwark to find out what people thought the big issues were and stimulated a discussion involving as many people as possible from the community, businesses and other interest groups; and

Local Issues Paper (Issued September 2001, Consultation completed November 2001) – Each of the six Local Issues Papers reflected back all of the comments received following the Key Issues Paper and considered how they relate to local issues in each of the six areas in Southwark. Forums were also set up within each of the areas that will be used in future consultation.

The first draft of the new plan was placed on deposit in December 2002 and at the same time consultation started on 27 draft supplementary planning guidance documents.

4. Placing the plan on deposit allowed residents, community groups, developers, land owners, businesses and others to make representations. The second, or revised, draft of the plan to be considered here is primarily a response to these representations. Many of the changes that have been made should overcome objections received so that when the revised draft is placed on deposit these objections may be withdrawn. However, there is an opportunity for anyone to make further representations on any new or changed

policies and proposals within the second draft. Any objections that are still outstanding following this process may be heard at a public inquiry, which is expected to take place in late 2004.

5. The draft was referred to Planning Committee on 13 January 2004 for comments. Councillor Bradbury expressed concerns about the following issues:
 - that the proportion of affordable housing that would be sought in private sector schemes had been increased since the first deposit;
 - that the density and car parking standards would generally result in over-development and insufficient off-street parking and;
 - that the boundary of the suburban zone had been drawn too tightly and should be moved to take in more of East Dulwich and Nunhead.These comments were reported to the Executive on 19 February.
6. The Executive approved the second draft subject to amendments as follows:
 1. That the revised draft Southwark Plan be noted.
 2. That officers be instructed to amend the plan, before final presentation for decision by Council Assembly as follows:
 - a) To designate the areas shown on the map (attached as an appendix to the Minutes) as “suburban” so that the density levels for that category set out in Policy 4.1 – Location and Density of Residential Development and Appendix 3 of the report apply to those areas;
 - b) To redefine the requirements for car parking in Policy 5.6 – Car Parking and Appendix 16 so that within the area designated as “suburban” in the draft presented to the Executive, the maximum provision is 2 cars per dwelling and that within the additional areas to be designated as suburban as a result of this amendment the maximum provision is 1.5 cars per dwelling;
 - c) To make any other necessary consequential amendments to the plan.
 3. That the amended draft Southwark Plan be recommended to Council Assembly for approval, subject to any final review of the text in the light of the publication of the London Plan and final checking by lawyers.
7. With this amendment, the Executive endorses the recommendation to the Council Assembly to approve this draft of the plan for the purposes of placing it on second deposit.

KEY ISSUES FOR CONSIDERATION

Response To First Draft

8. Placing the plan on first deposit gave rise to 1437 comments of which 1243 were objections and 194 were supporting statements. These were made by 196 organisations and individuals. From negotiations with objectors, officers consider that 412 of the 1243 objections can not be resolved. Furthermore, many of these objections cover the similar issues. A summary of the consultation responses to each section of the plan are provided in Appendix 3, and full details of the officers comments on each objection and supporting statement are provided in Appendix 4.
9. The representations included those made by the Government Office for London seeking to ensure that the Southwark Plan complies entirely with all appropriate regulations and also the Mayor of London, who is seeking to ensure that the plan is in conformity with the

emerging London Plan. These representations have been fully taken into account in the revised draft. Since the first draft of the Southwark Plan was placed on deposit the London Plan has been through an examination in public (EIP) and was fully adopted in February 2004.

10. Officers have met with many of the objectors to discuss revisions to the plan that may overcome their objections. As a result it is expected that a large number of objections may now be withdrawn. More detailed information is provided in appendices 3 and 4.

Scrutiny of the First Draft

11. The first draft of the Southwark Plan (2002) was approved by Council Assembly on 30 October 2002 prior to being placed on deposit. At the same time Council Assembly referred the Southwark Plan to the Overview and Scrutiny Committee who referred it to the Housing and Regeneration Scrutiny Sub-Committee. This sub-committee considered various aspects of the Southwark Plan between January and April 2003 and reported back to Overview and Scrutiny Committee in May 2003. The recommendations of Housing and Regeneration Scrutiny Sub-Committee and comments on how these have been taken into account are summarised in Appendix 5.

Changes To The Planning System

12. The Planning and Compulsory Purchase Bill is currently going through Parliament and is expected to receive Royal Assent in March 2004. This will replace Unitary Development Plans with a new system of Local Development Frameworks (LDFs). The purpose of this is to make planning more streamlined and to introduce the concept of local plans as the spatial expression of community strategies. These objectives have been taken into account in the drafting of the Southwark Plan even though it is being prepared under the existing regulations and not under new regulations that are expected to come into force in July 2004.

Key Features Of The New Southwark Plan

13. Part One of the draft Plan provides strategic guidance on the key issues facing land use planning in Southwark. Underpinning the plan are eleven objectives that inform different policies which are categorised into five chapters within Part Two. The five chapters are:
 - Tackling Poverty and Wealth Creation – Strengthening Enterprise and Creating Prosperity;
 - Life Chances – Preserving and Creating Community Assets;
 - Clean and Green – Protecting and Improving Environmental Quality;
 - Housing – Creating Choice and Quality in Housing; and
 - Transport – Improving Access and Convenience.
14. The new Southwark Plan is undergoing a Sustainability Appraisal. This is being undertaken independently by Forum for the Future, a national charity that has sustainability expertise. The aim of the Sustainability Appraisal is to evaluate how well the Southwark Plan supports relevant sustainable development objectives and will contribute to the achievement of sustainable development through individual policies, sections and as a whole. The assessment also aims to identify any conflicts to ensure that the objectives and policies are compatible and are working towards a coordinated approach to sustainability. The detail of the appraisal are Appendix 4 to The Southwark Plan 2004

The Next Stage – Placing the New Southwark Plan on Second Deposit

15. The Second draft of the new Southwark Plan 2004 is provided as Appendix 1 to this report with the Key Changes appended as Appendix 2. This second draft establishes the Council's proposed strategy for the use and development of land in the borough. It is now considered appropriate to consult with the community and give individuals, groups and businesses the opportunity to object to or support the Plan.

16. If approved, in accordance with the Town and Country Planning Act 1990, the Southwark UDP will be placed on deposit for a period of six weeks from the end of April 2004 to enable consultation with the community.
17. As for the first deposit stage, the statutory requirements to advertise the plan in local newspapers will be supplemented by extensive mail-outs to businesses, residents, community and voluntary groups, schools and institutions as well as statutory consultees and adjoining boroughs. Information about the plan will also be made available through the Community Councils, the internet, public meetings and existing regeneration partnerships. This will be further supplemented by public meetings, area forums, the Internet, the local press and through existing regeneration partnerships.

What Happens Next?

18. Following consultation on the second deposit of the Southwark UDP 2004 the plan will continue to evolve as objections are responded to. The Council may then prepare a further pre-inquiry draft of the plan.
19. A public inquiry will be held to deal with any objections that cannot be successfully addressed for any reason. The independent government inspector will hear all objections and make recommendations for revisions to the plan before it can be adopted (Under the new planning system to be introduced next year, inspector's reports will be binding).
20. Following the successful completion of all the steps outlined above, the Council may formally adopt the Southwark Plan and replace the existing UDP. It is hoped that the Southwark Plan may be adopted in Summer 2005.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Borough Solicitor & Secretary

20. Section 12 of the Town and Country Planning Act 1990 requires the Council to prepare a Unitary Development Plan ("UDP") for its area. Section 21 of the Act enables the Council to amend or replace the existing UDP, subject to complying with certain procedures.
21. The procedures for preparing a replacement UDP are detailed in PPG12: Development (1999) and the Town and Country Planning (Development Plan) (England) Regulations 1999 ("the Development Plan Regulations"). The processes adopted by the Council to date in preparing the revised UDP, detailed in paragraphs 3 to 11 of the report comply with Government guidance. The requirements of the Development Plan Regulations concerning publicity for the second deposit draft and the opportunity for comment and objection are summarised in paragraphs 15 to 17 of the report. Members should note that the opportunity to lodge formal objections to the second deposit draft of the UDP are limited to objections to the changes made in the second deposit draft, all material and substantial objections should already have been lodged in response to the first deposit draft.
22. Paragraph 12 of the report refers to the Government's proposals to reform the planning system. Although the Government introduced the Planning and Compulsory Purchase Bill in the last parliamentary session and the bill has been carried forward into the present session a significant amount of new regulation and guidance will be required to implement the reform fully. It remains likely that most of the process of developing and adopting the Southwark Plan will take place under existing legislation and procedures.
23. Under the Council's Constitution the terms of reference of the Planning Committee include commenting in the successive drafts of the Unitary Development Plan and making recommendations to the Executive as appropriate. Approval of proposals and plans which form part of the budgetary and policy framework for recommendation to Council Assembly is a matter reserved to the Executive. As indicated in the report the Planning

Committee has commented on the current version of the plan and it has been approved, as amended, by the Executive. The plans and strategies which form the development plan (the UDP) are part of the budgetary and policy framework and so final approval of the revised deposit draft of the Southwark Plan is the responsibility of Council Assembly.

EQUAL OPPORTUNITIES IMPLICATIONS

24. There are positive implications in relation to equal opportunities. It is considered that the new Southwark Plan provides an excellent opportunity for all members of the community to become involved in shaping the future of land use planning and development in Southwark. It is also considered that the variety and scope of consultation procedures intended to be undertaken will aid in engaging all members of the community in the process.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
The Southwark Plan Key Issues Paper	Planning Policy Team Chiltern House	Kirstin Clow
The Southwark Plan Local Issues Papers		
The Southwark Plan (2002) – the First Draft for Deposit Southwark Unitary Development Plan		

Audit Trail

Lead Officer	STRATEGIC DIRECTOR OF REGENERATION	
Report Author	Julie Seymour Planning Policy Manager	
Version	<i>Final</i>	
Dated	16 th March 2004	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER		
Officer Title	Comments Sought	Comments included
Borough Solicitor & Secretary	Yes	Yes
Executive Member	Yes	No
Date final report sent to Constitutional Support Services	19 th March 2004	

APPENDICES

- Appendix 1 The Southwark Plan 2004 (Second Draft Unitary Development Plan);
- Appendix 2 The Key Changes from the Southwark Plan (2002) to the Southwark Plan (2004);
- Appendix 3 A Summary of the Responses to the Southwark Plan 2002 (First Deposit UDP);
- Appendix 4 Responses to the Southwark Plan 2002 (First Deposit UDP) – Officer Comments (provided at www.southwark.gov.uk/udp as this is 1500 pages – available by request on CD).
- Appendix 5 Scrutiny Sub-Committee’s recommendations and responses to these in the second draft