

Item No. 5.3	Classification: Open	Date: 23/02/05	Meeting Name: Council Assembly
Report title:		Final Changes for the Deposit Southwark Plan 2004 (Unitary Development Plan)	
Ward(s) or groups affected:		Boroughwide	
From:		Strategic Director of Regeneration	

RECOMMENDATION

1. That Members adopt the further changes to the draft Southwark Plan set out in appendix 1 and the basis for those as set out in appendix 2 which will form the council's response at the public inquiry. Appendix 2 can be viewed on the council's website at:

<http://www.southwark.gov.uk/YourServices/planningandbuildingcontrol/planpolpublications/responsestopreinquirychanges.html>

BACKGROUND

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 nine 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 related to local issues in each of the six areas in Southwark. Forums were also set up within each of the areas to facilitate future consultation.

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

4. Deposit consultation was carried out between 2002 to 2004. This involved:

Deposit (adopted for comment November 2003) Placing the plan on deposit allowed residents, community groups, developers, land owners, businesses and others to make representations. These representations have been considered by members and consultation has taken place with the public. Many of the changes that have been made have overcome objections received and many of these objections have been withdrawn.

Second, or revised draft deposit (adopted for comment March 2004) the same process was carried out as that undertaken for the deposit plan.

5. Placing the plan on first deposit gave rise to 1443 comments of which 1275 were objections, 23 were not duly made, and 168 were supporting statements. The second deposit gave rise to 2381 comments of which 1848 were objections, 42 were not duly made and 535 were supporting statements.
6. Part One of the draft Plan provides strategic guidance on the key issues facing land use planning in Southwark. Underpinning the plan are twenty strategic priorities that inform different policies which are categorised into five chapters within Part Two. The five chapters are:
 - Tackling Poverty and Wealth Creation;
 - Life Chances;
 - Clean and Green;
 - Housing; and
 - Transport.
7. The new Southwark Plan has undergone a Sustainability Appraisal. This was initially undertaken independently by Forum for the Future, a national charity that has sustainability expertise and CRISP a local community group. 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 has been updated to take into account the final changes which are detailed in appendix 4 (circulated separately to this report).
8. In order to streamline the Southwark Plan, it was decided at an early stage in the review process to provide detailed supplementary planning guidance (SPG) in support of UDP policies. 29 draft SPG's have been developed to support the Southwark Plan and cover a broad range of issues, from general design standards for residential development, to strategic area based SPG's for key locations such as London Bridge. These SPG's were consulted upon and comments made have been considered in addition to objections and supporting statements on the UDP itself. The SPG will be revised following the adoption of the emerging Southwark Plan.
9. Replacement SPGs for Canada Water, telecommunications, adverts and signage have been adopted. Replacement draft SPG for affordable housing and Dulwich have been consulted upon and further preparation is taking place.

KEY ISSUES FOR CONSIDERATION

10. Further non- statutory consultation was carried out as follows:

Pre-inquiry changes (adopted for comment October 2004) Carrying out further informal consultation on the pre-inquiry changes allowed residents, community groups, developers, land owners, businesses and others to make representations. Consultation has been recorded in the consultation statement attached as appendix 3 (circulated separately to this report). This may be further updated as information is provided to the council.

The pre-inquiry changes gave rise to 278 comments of which 229 were objections, 37 were not duly made and 49 were supporting statements. These were made by 531 organisations and individuals. The status of these comments may change during negotiations and many of these objections will be withdrawn before the inquiry.
11. The proposed final changes to the new Southwark Plan are provided as Appendix 1 to this report. These changes have been made to overcome objections received to enable further objections to be withdrawn. These final changes establish the council's

amendments to the proposed strategy for the use and development of land in the borough. It is now considered appropriate to gain members support for these changes to the Plan.

12. Due to the possibility of the energy and travellers changes agreed at Executive being substantive, all of the final changes are being consulted upon from February 8th to March 22nd 2005. The non-statutory good practice requirements will be met through notices in the paper, in addition letters will be sent to the UDP consultation mailing list of around 3500 including the objectors
13. The draft officer comments are provided as Appendix 2 to this report. These officer comments form the basis of the council's response at the inquiry. It is now considered appropriate to gain members support for these comments so that they can form the council's response.
14. Any further changes to meet objections both before and during the inquiry will be signed off by Individual decision making.
15. Planning Committee supported the progression of the plan with the final changes and officers comments to the objections.
16. The Executive made 5 suggested changes which have been included within appendix 1. These were concerning:
 - Policy 3.5 renewable energy – changing endeavor to feasible;
 - Policy 2.5 addition of Waite street as part of Burgess Park MOL;
 - Policy 4.7a travelers sites – a more positive approach;
 - Proposals site Cannon Street footbridge allocated.
17. The Executive recommended that officers considered whether it is essential to introduce the word 'inappropriate' into Policy 3.25 so that it reads 'there is a presumption against inappropriate development on Metropolitan Open Land.' Officers have carried out further negotiations with the Government Office for London who confirm that this is essential to comply with national planning policy. It is noted that that Green Belt policy, which also applies to Metropolitan Open Land, is among the clearest and strictest of all national planning policies and the policy as drafted including the word 'inappropriate' is as restrictive as it can be.

NEXT STAGES

18. Consideration of the strategic environmental assessment requirements will be further examined before the inquiry with a report to Executive.
19. There was a pre-inquiry meeting held on January 13th to set out the programme for the Inquiry and for the inspect to respond to questions from objectors about the inquiry process.
20. The 11 topic papers setting the strategic context for discussions at the Inquiry have been prepared. These cover the following subjects: the elephant and castle, employment and enterprise, retail, education, sustainability, waste, open space, housing, affordable housing, density and transport.
21. There will be a number of proofs of evidence, rebuttal proofs and further written comments prepared by the council and objectors to provide information for the inquiry.
22. A public inquiry will be held to deal with any objections to the Southwark Plan 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.

23. 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 2006.

RESOURCE/FINANCIAL IMPLICATIONS

24. Resource implications has been reported previously to committee. This report does not bring any further resource or financial implications.

EQUAL OPPORTUNITIES IMPLICATIONS

25. There are positive implications in relation to equal opportunities for both policy setting and inclusion in consultation processes. An Equalities Impact Assessment has been carried out as part of the sustainability appraisal and consultation process, an evaluation is provided as appendix 4 (circulated separately to this report).
26. 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.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Borough Solicitor & Secretary

28. The revised draft UDP completed all the stages prescribed in legislation and regulation when the 2nd draft was placed on formal deposit in May 2004. The further changes currently being recommended to members for adoption therefore do not form part of the formal procedures required for preparation, consideration and adoption of the revised plan. Nevertheless, it clearly makes sense to explore whether some of the objections lodged to the 2nd Deposit draft can be overcome by changing the wording of some of the policies in the plan: this will enable officers, and the Inspector at the forthcoming inquiry, to concentrate on major objections and matters of substance rather than deal with minor issues.

BACKGROUND DOCUMENTS

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

AUDIT TRAIL

Lead Officer	STRATEGIC DIRECTOR OF REGENERATION	
Report Author	Julie Seymour, Planning Policy Manager	
Version	final	
Dated	11th February 2005	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER		
Officer Title	Comments Sought	Comments included
Borough Solicitor & Secretary	Yes	Yes
Executive Member	Yes	Yes
Date final report sent to Constitutional Support Services		11/02/2005

APPENDICES

- Appendix 1 The final changes to the Southwark Plan 2004
(Second Draft Unitary Development Plan)
- Appendix 2 Officer comments available on the council website
- Appendix 3 Consultation Statement
- Appendix 4 Sustainability Appraisal and Equalities Impact Assessment