

HRSSC: REVIEW OF THE NEW (DRAFT) SOUTHWARK PLAN – DRAFT FINAL REPORT

1 Summary

Between 27 January and 7 April at five scrutiny sessions the Housing and Regeneration Scrutiny Sub-Committee considered the Council's Draft Unitary Development Plan. During deliberations a number of key issues arose:

- The appropriateness of the number of new homes allocated to be built in the borough
- The densities recommended for new residential developments in the different parts of the borough's
- Types of design to needed to deliver the density of housing set out in the plan
- The opinions of the Chair of the Council's Planning Committee on delivering the plan
- How the Council's work with Forum for the Future and the use sustainability criteria has affected the drafting of the plan and what effects it is likely to have on encouraging more sustainable development in the borough
- The comments of other scrutiny committees on the plan
- The need for the plan to be in 'general agreement' with the London Mayor's London Plan

Resulting from the scrutiny the Sub-Committee arrived at the following key issues that influence the recommendations set out later in this report:

- The difficulty in delivering the number of new homes outlined in the UDP through the Council's planning system, particularly with the creation of community councils
- The difficulty the Council faces delivering the high density developments implicit in the draft UDP
- The importance of good design and building standards to the successful development of high density housing developments
- That the Council looks at encouraging house builders to look at alternative ways of building homes, such as pre-construction as used in Europe
- The need for the plan to aim to deliver more sustainable communities in Southwark
- The need to take a broad view of what can be delivered through Section 106 funding – but that if developers were forced to put significant resources aside for affordable housing funding resources available for other activities may be limited
- The need to ensure that the Council's planning and development control framework reflects

and complements the Council's broader strategies and policies

- The difficulty in balancing the environment, health, social and economic pressures on development within the plan
- The need for the UDP when adopted to be "in general compliance" with the London Plan

2 Background

The Council is required by Section 12 of the Town and Country Planning Act 1990 to prepare a Unitary Development Plan for its area. Section 21 of the Act enables the Council to amend or replace the existing UDP, subject to complying with certain procedures. The procedures for preparing a replacement UDP are detailed in PPG12: Development Plans (1999) and the Development Plan Regulations. Appended at Appendix 1 is a table outlining the processes that Southwark is going through to agree the UDP in line with *Local Plans and Unitary Development Plans – A Guide to Procedures' – DETR 1999*.

The first draft for deposit of the new UDP – also known as 'The Southwark Plan (2002)' – was agreed by Council Assembly on 30 October 2002. Council Assembly resolved that the plan be referred to Overview and Scrutiny Committee.

Resulting from this decision, Overview and Scrutiny Committee met on 9 December 2002 and resolved that the Unitary Development Plan be referred to Housing and Regeneration Scrutiny Sub-Committee, in line with the Sub-Committee's terms of reference, and that the Sub-Committee should report back to Overview and Scrutiny Committee with any recommendations by the end of the 2002-03 Municipal Year. Overview and Scrutiny Committee recommended that the Housing and Regeneration Scrutiny Sub-Committee have particular regard to.:

1. Assessment of the appropriateness of the Opportunity Areas and Action Areas identified within the UDP document;
2. Assessment of the proposed housing densities for areas within the borough; and
3. Understanding sustainability appraisals

3 The Terms of Reference for the Review

On 27 January 2003 the Sub-Committee received a presentation by the Acting Head of Planning Policy. As a result the Members set out the key areas for scrutiny as part of the review of the Council's Draft Unitary Development Plan:

- i. Assessment of appropriateness of housing densities
- ii. The Sustainability Criteria and the ability of the plan to deliver sustainable development
- iii. The appropriateness of Opportunity Area and Action Areas
- iv. The uses of Section 106 funding

4 The process undertaken in scrutinising the UDP

Following the meeting on 27 January the Sub-Committee met on four further occasions to consider the Council's Unitary Development Plan as set out below. A list of the evidence received by the Sub-Committee is attached at Appendix B. In addition to the expert witnesses below, Simon Bevan, Acting Head of Planning Policy attended all scrutiny sessions between 27 January and 2 April.

The Scrutiny of the Council's Unitary Development Plan	
27 January 2003	<ol style="list-style-type: none"> 1. Presentation of the draft Plan by Simon Bevan, Acting Head of Planning Policy and Consideration of Plan by Sub-Committee 2. Agreement on areas to focus upon for future scrutiny
18 February 2003	<ol style="list-style-type: none"> 1. Session with Councillor David Hubber, Chair of Planning Committee, with particular focus on the delivery of high density housing schemes and sustainable development through the Council's planning framework 2. Officer providing details on the appropriateness of Action Areas and Opportunity Areas
11 March 2003	5 March meeting postponed (expert witness session). Planning of meeting to be held on 11 March.
2 April 2003	Expert witness session with: <ul style="list-style-type: none"> • Zoe Hassall, Forum For The Future. • Julie Tallentire, Planning Policy Team, Southwark Council (for sustainability appraisals) • David Gregory, Peabody Trust • Mike Donnelly, Habinteg Housing Association

7 April 2003	<ol style="list-style-type: none"> 1. Consideration of comments from other scrutiny committees on the UDP 2. Consideration of evidence and discussion to date 3. Agreement on recommendations
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5 Issues Arising from Evidence Received and Member Discussion

The following paragraphs provide a background summary of discussions of the Sub-Committee in relation to the Unitary Development Plan and taking into consideration the terms of reference agreed on 27 January 2003.

Assessment of the appropriateness of the Opportunity Areas and Action Areas identified within the UDP document;

Members were informed that the draft plan identifies two opportunity areas and five action areas. The opportunity areas, London Bridge and Elephant and Castle, are those identified in the Mayor of London's Spatial Development Strategy (SDS) also known as 'The London Plan'. The SDS identifies 28 opportunity areas in all throughout London on the basis that they are capable of accommodating substantial new jobs or homes.

The action areas are further areas that have been identified by Southwark as having significant potential for increases in residential, employment and other uses. These correspond to the designation 'areas for intensification' in the London Plan. These are

- Canada Water
- Bankside and The Borough
- Bermondsey Spa
- Old Kent Road
- Peckham

The opportunity areas and the action areas are affected by the same policy in Part II of the draft plan, policy 1.2 Action Area Plans, which states that the Council will prepare action area plans which will form supplementary planning guidance (SPG) for each area. These SPG or development frameworks identify the specific characteristics of the area that need to be enhanced

or developed. These, together with a range of other SPG documents that deal with specific areas of the borough or specific topics, are out to consultation at the moment.

Members raised a number of issues and concerns in relation to Opportunity Areas and Action areas:

- That the draft Southwark Plan might attract developments that might not be appropriate for a specific locality and that further investigation be undertaken in this respect.
- Whether the Special Planning Guidance in respect of the Southwark Plan Action Areas are realistic and whether the desired outcomes are they what local people expect?
- That certain sites were earmarked in the London Plan for development as “24 hour” sites/localities. Members questioned whether this was contrary to the spirit of the London Plan, given the potential impact on / disturbance to residents in such areas.

Implementing the Policies of the UDP

Members recognized the importance and role of the Council’s Planning Committee’s in practical implementation of the provisions set out within the Unitary Development Plan and accompanying 29 Supplementary Planning Guidance documents. The Committee invited the Chair of Planning Committee to make a broad assessment of the new draft Southwark Plan’s deliverability from a development control point of view, and in addition asked whether housing density targets were appropriate and deliverable and whether sustainability assessment were likely to deliver sustainable development in Southwark.

Arising from discussions with the Chair of Planning Committee Members acknowledged:

- That implementation of the planning system was always a balancing exercise between competing pressures, not least of which currently were:-
 - i. legislation;
 - ii. government policy and planning guidance;
 - iii. the Mayor’s (draft) London Plan;
 - iv. the draft Southwark Plan (Unitary Development Plan); and
 - v. the impact of any development on the lives of individuals/community.

- That simultaneous pressure against building on green-field sites and pressure in favour of allowing maximum development of brownfield sites that become available inevitably meant higher density developments being presented to Committee.
- That a lack of clarity in planning policy and guidance caused a great number of problems in respect of planning decisions.
- That the new draft UDP aspired to improved building design, especially for high profile developments within the borough.
- That in respect of seeking to meet the targets for building new homes set for the authority set out in the London Plan, Southwark would need to ensure that these were of sufficient range in terms of types of accommodation and affordability [25% affordable homes being the starting point]. Members acknowledged that achievement of the aspirational 50% affordable homes target would prove difficult.
- That within the provisions of the GLA Act requiring local borough plans to be “in general conformity” to the London Plan, a degree of flexibility existed. Members questioned to what extent Southwark was required to comply.
- The Sub-Committee were concerned that with the introduction of Community Council’s Members would be under increased local pressure when deciding upon planning applications and that such situations could affect the effectiveness of delivering the targets for housing and commercial development, both in terms of numbers and densities, as set out in the draft Southwark Plan.
- That the role and effectiveness of planning enforcement in supporting the delivery of the new draft Unitary Development Plan be addressed. Members acknowledged Planning Department’s had limited resources in respect of its ability to enforce planning orders, compared to neighbouring boroughs. Only seven planning enforcements took place in the borough last year. With three enforcement staff employed it was necessary to take a reactive approach to breaches of permissions and guidance.

Section 106 Funding

Members discussed the use of Section 106 monies - in particular commenting :

- That future changes to the arrangements for funding affordable housing, including the establishment of a Regional Housing Board, could result in provision of affordable housing

being achievable only through planning gain. This would impact on the authority's ability to meet London Plan housing density targets.

- That Section 106 might provide leverage for other regeneration funding. Further advice should be secured in respect of whether this would be legally sustainable.
- That consideration be given to provision being made in the new draft UDP for allocation of space for educational uses and designation of planning gain for education buildings/provision within Section 106 agreements.

Relationship between Southwark's UDP and other strategies

Members commented that further consideration be given to the interrelationship between the Southwark UDP, the Special Planning Guidance(s) and other strategies in respect of whether the interrelationship was helpful and whether the funding structure/environment/sources assist the aims of the Southwark Plan ?

Assessment of the proposed housing densities for areas within the borough as set out within the draft UDP

The draft UDP sets guidelines for the density of new housing development in the borough. This responds to the Government's planning policy guidance notes (PPG) set out in PPG 3 – Housing. This requires local planning authorities to support the Government's strategy of concentrating housing growth on brownfield sites in cities and making the best use of land available for development. The density guidelines in the draft UDP also respond to the requirement in the draft London Plan to maximise the potential of sites and to base density guidelines in their UDPs on principles set out in the London Plan.

The draft UDP sets three broad ranges of housing density in the borough based on three zones as required by the London Plan. These are the central zone, the urban zone and the suburban zone. The plan applies the central zone density range to the central London area which corresponds to the Congestion Charging Zone boundary and to action areas with high public

transport accessibility: Peckham, Old Kent Road, Bermondsey Spa and Canada Water. The suburban density zone is considered mainly to apply to outer London but extends a short way into Dulwich. The rest of the borough is in the urban zone.

Housing density is measured in terms of habitable rooms per hectare (hrph). The current Southwark UDP adopted in 1995 contains a guideline range of 170 to 210 hrph for new residential development suitable for families. Exceptions where higher densities are appropriate are identified. The new draft UDP indicates much higher densities of 700 - 1100 hrph in the central zone (typically intensive 8 - 10 storey developments), 300 - 700 hrph in the urban zone (typically 4 – 5 storey development of flats with communal open space and balconies for most flats) and 200 - 350 hrph in the suburban zone (typically houses with gardens). These density guidelines will be achieved with restrictive car parking standards including car-free developments in the most accessible locations. However, Policy 5.5 in the draft UDP on density specifies that the guidelines on densities will not take precedence over the context and urban design considerations of any development proposal.

The London Plan sets a target for Southwark of 29,530 new dwelling units by 2016. This is the second highest target for any London borough. The new draft UDP contains policies that should facilitate a high rate of housing growth in order to meet this target. This could lead to a growth in the population of Southwark by over 60,000 from the current level of 242,600 (2001 mid-year estimate).

Members in their discussions on housing density acknowledged:

- That the authority had requested a review of housing density targets as set out in the London Plan, as it was believed that these were based on housing density studies lacking rigour and that did not reflect the true housing situation at the time of their production.
- That in respect of density ranges for urban, central and suburban zones, very high density developments raised considerable fears amongst Members and officers, and that factors that would contribute to the success of such developments included security and community facilities, and must be integral to the planning of such developments.
- That concerns exist about the suitability of present designs
- That high rise, high density housing can have higher maintenance costs in the longer-term than lower density forms of housing

- That floorspace standards in current and draft new UDPs were lower than Parker Morris standards
- That the authority's Special Planning Guidance did not directly address how to mitigate the effect of high density living through the application of planning and design principles. Members felt it might be fruitful to consider such mitigating principles for the very highest density developments in the borough. Members questioned whether very high density developments were in general sustainable.

Understanding sustainability appraisals

The draft UDP is intended to have a major influence on achieving sustainable development in Southwark. The plan needs to harness the "wellbeing" responsibilities set out in the Local Government Act 2000, balancing the needs of the environment, economy and society to achieve sustainable future development. All planning decisions should, in effect, seek to achieve a balance between these needs.

In order to achieve sustainable development the Council has worked with Forum for the Future to develop a sustainability appraisal which provides a systematic process for ensuring that all considerations are properly considered within the Council's planning framework and balanced outcomes achieved. The assessments made are intended to make planning decisions more transparent by showing what trade-offs have been made between the needs of the environment and social and economic requirements. The sustainability appraisal has been utilised to test the sustainability of plan policies during the development of the plan, and when the plan is adopted can be applied to a wide range of planning applications.

In their consideration of the sustainability appraisals Members acknowledged:

- That in respect of achieving sustainable communities there was a need to redress the existing imbalance in the borough's housing stock. In particular, they challenged the assumption that Key Worker Housing should be close to [as opposed to accessible to] central London required challenged, and discussed whether outer London boroughs might be set targets for provision of KWH themselves.

