

<b>Item No.</b> <b>18</b>	<b>Classification:</b> Open	<b>Date:</b> 07 April 2003	<b>MEETING NAME</b> Housing and Regeneration Overview and Scrutiny Sub Committee
<b>Report title:</b>		Report on a review of the UDP Supplementary Planning Guidance	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		Community Support and Safety Scrutiny Sub- Committee	

## RECOMMENDATIONS

1. That the Council makes ongoing efforts to encourage developers to co-operate fully with planning policy and guidance, over and above what Planning Acts require currently to maximise the benefit derived from development for the people of Southwark;
2. That the Council uses the requirement for a design statement, on the part of developers, to ensure that issues of designing out crime, fair access, community support and consultation with the community are included.
3. That the Council must lead by example, ensuring that the UDP and supplementary planning guidance are fully adhered to when the Council undertakes development of its own.

## BACKGROUND

4. At the meeting of the Overview and Scrutiny Committee (OSC) on Monday 9<sup>th</sup> 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.
5. 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 were to be sent to 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 April 2003.
6. The Chair of the Community Support and Safety Sub Committee made a request to officers that the Southwark Plan be reviewed to determine how well planning policy addresses issues of community support and safety. Members discussed the following issues on February 5<sup>th</sup>

- 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.

7. Councillor Hubber, Chair of the Planning Committee, submitted some views to the Sub Committee in writing to the Sub Committee, having had sight of the areas of questioning arising. A copy of his letter is attached to this report.

## **ISSUES ARISING**

8. Members noted that the UDP sets planning guidance in the context of the economic, social and environmental issues affecting Southwark. The UDP has been designed to enhance the life chances and quality of life of the people of Southwark.

9. Members noted that powers under planning acts mean there are limitations on the Council enforcing planning policy. However, the Council can lead by example and encourage developers to engage in the good practice inherent in the UDP. Members noted that there is now a requirement on developers to submit a design statement with planning applications which should seek to show the beneficial aspects of the development, including how developers are addressing social and environmental concerns.

## **COMMUNITY INVOLVEMENT**

10. Members were concerned to ensure that developers are encouraged to engage with the community over planned development in pursuit of current strategic objectives in which consultation with the community is key. Members noted that consultation procedures have not in many instances been as good as they should have been and that steps have been and are being taken to address the problem. Members recommended that this is something which should be reflected in the design statement now required from developers. Members noted there may be legislation forthcoming on greater community consultation and that a computerised geometric mapping program now coming into use may lead to improved consultation.

## **FAIR ACCESS**

11. Members noted that the draft London Plan sets out the Mayor's requirements in relation to standards of accessibility in new developments, including asking developers to produce an Access Statement as part of applications. Members agreed that this obligation should be formulated into decisions on planning as soon as possible.

## DESIGNING OUT CRIME

12. Members noted the duties imposed on the Council by the Crime and Disorder Act 1998 to have regard to community safety across the full range of its decisions and that the planning department usually consults the Metropolitan Police on applications which present community safety issues. Members would like to see more of the 12 point SPG guidance on designing out crime brought more fully into the UDP in future.

## SUPPLEMENTARY PLANNING GUIDANCE

13. Members noted that while the UDP comprises a set vision for the authority in terms of planning and development, supplementary planning guidance can be reviewed and updated periodically. Members agreed that future supplementary planning policy should fully reflect the issues discussed and recommendations made by this Sub Committee.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
<i>Community Support and Safety Overview and Scrutiny Sub Committee</i>	<i>Constitutional Support Unit, 3<sup>rd</sup> Floor, Town Hall, Peckham Road, London SE5 8UB</i>	<i>Eleanor Rees 0207 525 4393</i>

## AUDIT TRAIL

<b>Lead Officer</b>	Ian Hughes, Head of Corporate Strategy	
<b>Report Author</b>	Maggie Sullivan, Corporate Strategy Assistant	
<b>Version</b>	<i>Final Version</i>	
<b>Dated</b>	<i>26 March 2003</i>	
<b>Key Decision?</b>	<i>NO</i>	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Borough Solicitor & Secretary	YES	
Chief Finance Officer	NO	
<i>List other Officers here</i>	Simon Bevan, Regeneration Lyn Meadows, Borough Solicitor's Officer	Yes
<b>Executive Member</b>	No	No
<b>Date final report sent to Constitutional Support Services</b>		26 March 2003

## **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.