

<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 and the Supplementary Planning Guidance 'Green and Clean' section	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		Environment and Transport Scrutiny Sub Committee	

## RECOMMENDATIONS

1. That the Executive endorse lobbying Central Government departments for legislation giving greater weight to local authority supplementary planning guidance and planning policy in all applications for development.
2. That the Executive Body recommend that supplementary planning guidance be brought more fully into the UDP before the consultation process has run its course, for example, encouraging the Planning Department to draw up standard conditions for developers which will give more weight and credence to the supplementary planning guidance. In addition that developers be encouraged to negotiate with officers, from the start, around a checklist of key environmental and traffic issues which the Council will want to see fully addressed in planning applications.
3. That the Executive Body make recommendations which will highlight the importance of sustainability in all planning applications, and that more onus be put on developers to consider sustainability in Design Statements, for example, by direct reference to the authority's 'Green Register' of approved contractors and best practice.
4. That developers should be encouraged to meet supplementary planning guidance in all applications as fully as possible, above and beyond the legal requirements pertaining.

## BACKGROUND

5. At the meeting of the Overview and Scrutiny Committee (OSC) on Monday 9<sup>th</sup> December 2002, Members received a briefing on the Southwark Plan (UDP) and supplementary planning guidance to the UDP. The Plan sets out how the Council will use its planning powers to influence development over the next ten years. It explains why planning decisions are made and the objectives that the Council is seeking to achieve.
6. OSC made a request that each of the Overview and Scrutiny Sub Committees review the relevant parts of the UDP and the supplementary planning guidance, with an additional request that views and recommendations be fed back to the Housing and Regeneration Overview and Scrutiny Sub Committee to become part of one, overall report, from the Housing and Regeneration Sub Committee back to OSC.
7. Members of the Environment and Transport Overview and Scrutiny Sub Committee considered the Supplementary Planning Guidance on 'Clean and Green' over two meetings, on Tuesday 11 February and Tuesday 11 March, with advice from officers in the

Regeneration Department and the Borough Solicitors office.

## **ISSUES DISCUSSED**

8. Members considered that the draft UDP and supplementary planning guidance contained many sensible, sound proposals but that unless developers are encouraged to take them up in a more meaningful way, the benefits to the borough implied in planning policy will not be maximised. A key issue arising from the review was, therefore, what concrete actions could be put in place to ensure that planning policy carries weight with developers above and beyond minimum legal requirements.

Members considered the following issues in detail:

### **Sustainability in design, including the use of recycled building material**

9. Under present practice sustainable principles in design cannot be enforced. Building regulations are the baseline requirement. Members considered that the Council needs to encourage developers to work with the Council to go further than the minimum required in Building Regulations, particularly on such things as sustainable development. Members did, however, note the advice from officers that though the Building Regulations are the statutory benchmark, developers are beginning to see the UDP as a meaningful, working document in development plans and are recognising that they need to co-operate fully with the Council.

10. However, Members considered that, in the same way that planning applications are reviewed by a Crime Prevention Design officer, dedicated officers should be available to work with developers from the start, with reference to the Council's Green Register of approved contractors and best practice. Further, members considered that standard conditions should place more onus on developers to be 'green' in their planning applications and that policy 3.13 on the provision of a sustainability appraisal as part of planning applications, to ensure that their environmental, social and economic impacts are assessed and balanced to find the most sustainable option for the development, be rigorously applied.

### **Designing out Enviro Crime**

11. Members noted that all planning applications have to be reviewed by a Crime Prevention Design Officer but wanted assurances that this is so in all cases.

### **Environmental Impact Assessments**

12. Members noted the requirement on the part of the developers to supply environmental impact assessments for applications over a certain size, or where Planning Committee have concerns about a particular application. However, members considered that environmental impact assessments should be a feature of all applications in order to protect the environment most fully.

### **Open Spaces**

13. Members noted the policies already in place to protect open space and community facilities along with a new designation for borough open land. Members

considered that adherence to these policies should continue and that, where developers take open space, the Council should be guaranteed a replacement elsewhere, failing which the development should not proceed.

### **Training for Members of Planning Committee**

14. Members noted that training is offered to members of the Planning Committee but stressed that such training should have an emphasis on the impact of sustainability and green practices.

### **Consultation with the Community**

15. Members noted that the UDP and supplementary planning guidance is put together with reference to the Council's Community Strategy but agreed that developers should be further encouraged to consult with the community on planning developments. Members enquired whether, when applications fully reflect issues of sustainability and consultation with the community, there might be a route made available to progress such applications more speedily. However, members noted that whilst developers are encouraged to use the Council's resource centre and library, and to consult with the community, it is not possible to guarantee a speedier consideration of applications.

### **The built environment around the River Thames**

16. Members agreed that the built environment around the River Thames requires particular planning policies to be applied to maintain its integrity. Members noted that there are significant impact criteria to be applied in this respect but wanted reassurances that it is rigorously applied to planning applications for the area.

### **Protection for particular types of building**

17. Members enquired about protection under planning guidance for particular buildings and noted, for example, that shops designated A1 are protected but not public houses. Members were concerned that differentials of protection applying left certain types of building more vulnerable to development, particularly where there is an opportunity for developers to make significant amounts of money from a change of use. Members agreed that differentials of protection should be reviewed to ensure adequate protection for buildings where changes of use are being applied for.

### **BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
<i>Environment and Transport Scrutiny Sub Committee Agenda, Background Papers and Minutes</i>	<i>Constitutional Support Unit, 3<sup>rd</sup> Floor, Town Hall, Peckham Road, London SE5 8UB</i>	<i>Tina Akumanyi T: 0207 525 7226</i>

### **AUDIT TRAIL**

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<b>Version</b>	<i>Final Version</i>

<b>Dated</b>	28 March 2003	
<b>Key Decision?</b>	NO	
<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		
<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>		28 March 2003