

<b>Item No.</b> 6	<b>Classification:</b> Open	<b>Date:</b> March 27 2008	<b>Meeting Name:</b> Major Projects Board
<b>Report title:</b>		Aylesbury Area Action Plan Preferred Options Report	
<b>Ward(s) or groups affected:</b>		East Walworth, Faraday, Newington, Grange, South Bermondsey, Peckham, Brunswick Park, Camberwell Green and Livesey	
<b>From:</b>		Strategic Director (Major Projects)	

## RECOMMENDATIONS

1. That Major Projects Board adopts the Aylesbury Area Action Plan Preferred Options (appendix A) and Sustainability Appraisal (appendix B) for the purposes of consultation, agrees the Consultation Plan (appendix D), and notes the Aylesbury Area Action Plan Equalities Impact Assessment (appendix C), Consultation Statement (appendix E), and Appropriate Assessment of EU Protected Habitats (appendix F).

## BACKGROUND INFORMATION

2. The council is preparing an area action plan (AAP) for the Aylesbury Estate and surrounding area. The AAP is being prepared under the new planning system and will be a spatial plan that aims to integrate all strategies that are relevant for the area including those of the council and its partners such as the Primary Care Trust (PCT), to create a holistic plan for the regeneration of the estate and surrounding area. Once adopted it will be a development plan in the council's local development framework (LDF) and will be used as the basis for determining planning applications in the area. Together with the Core Strategy which the council is commencing work on this year, and other AAPs, it will replace the Southwark Plan.
3. Preparation of an AAP takes place over a number of stages. The first stage involved preparing and consulting on the sustainability appraisal scoping report (this was reported to the Planning Committee on April 10 2007) and the second stage involved consulting on issues and options (reported to Planning Committee on September 4 2007).
4. We are currently at the third stage of preparing the AAP, which is consultation on preferred options. The preferred options establish a clear direction for the regeneration of the area with regards to issues such as the tenure mix of new dwellings, the bedroom mix, street layouts and building heights, proposals for open spaces, schools and health facilities etc. Following consultation on the preferred options, at the fourth stage the council will prepare the draft Area Action Plan that will be submitted to the secretary of state.
5. The preferred options report is accompanied by a sustainability appraisal (appendix B), an equalities impact assessment (appendix C), consultation plan (appendix D), a consultation statement setting out details of consultation carried out to date (appendix E) and an Appropriate Assessment (AA) carried out under the EU Habitats Directive assessing the impact of the preferred options on EU Protected wildlife habitats (appendix F).

## CONSULTATION

6. Prior to commencing work on the AAP, the council prepared an overarching consultation strategy to guide the overall approach to consultation on the AAP. All consultation carried out on the AAP has been consistent with this strategy and also with the requirements of the council's recently adopted Statement of Community Involvement (SCI).

7. A considerable amount of consultation took place with residents and other stakeholders prior to beginning work on the AAP. This included the tenant ballot of 2001-002, Project Placecheck, August/September 2002, the Options Appraisal for the south west corner, June to November 2004, the Aylesbury Tenants Survey 2005, and the 2006 Visioning Workshops.
8. The consultation which has taken place as part of the AAP process is summarised below (full details are provided in the consultation statement in appendix E):
  - **Publicity:** Consultation on the AAP issues and options report was widely publicised through a mail out to contacts on Southwark's Planning Policy database, information on Southwark's website and the Aylesbury regeneration website, advertisements in two newspapers, information made available and posters displayed in libraries and council offices, quarterly newsletters sent to all residents on the estate, flyers sent to all residents on the estate and distributed to organisations and libraries in the AAP area. A special AAP newsletter was also distributed to people/organisations in the AAP area giving information about the AAP and publicising the Building Futures Exhibition.
  - **Events and exhibitions:** A Show Homes Exhibition with a mock up of a flat being proposed in Phase 1a of the redevelopment of the Aylesbury Estate took place in June 2007. This was followed by the Building Futures Exhibition in October which sought feedback on the issues and options and which was combined with a family fun-day, on-site surgeries, and special viewings for particular community groups. In addition, regular surgeries have been held in Thurlow Lodge and officers staffed an AAP stall at the Walworth festival.
  - **Stakeholder meetings:** A Neighbourhood Team comprising representatives of the Aylesbury estate tenants and residents organisations, ward members, and representatives of local business groups, voluntary organisations and health and youth service providers has been established. The team has prepared a charter setting out its objectives for the redevelopment of the estate and this forms the basis of the AAP objectives. The team has also participated in a series of planning for real events, looking at issues surrounding design, density and value and has visited other cities to look at good practice examples. Continuous consultation on the issues and options has also taken place with the Aylesbury Estate Steering Group, as well as the Re-housing Subgroup and the overarching consultation strategy and issues and options have been presented to Walworth Community Council.
9. In all, 138 written representations were received in response to the issues and options report, as well as a petition with 415 signatures relating specifically to Surrey Square. 216 questionnaires were filled in during the Building Futures exhibition in response to the issues and options report. The main findings on the questionnaires were that:
  - 44% of respondents favoured tenure mix option two (medium private provision), while 18% backed option three (maximum private provision);
  - 38% favoured providing some tall buildings (options three and four), while 26% favoured a range of heights (option two) and 26% preferred medium rise heights through the area (option one);
  - 37% favoured routing the tram along Albany Road and Wells Way (option two), while 29% favoured taking the tram along Beaconsfield Road and Wells Way (option three);
  - Around 65% favoured the option to introduce green fingers into the estate;
  - The vast majority of respondents favoured taking action to improve Burgess Park (options two to five). Only 7% favour minimum intervention in the park.
10. Consultation responses have informed the selection of preferred options. Residents and other stakeholders will have an opportunity to comment formally on the preferred options report and all comments received will be taken into account in preparing the draft AAP. Details of consultation that will be carried out at preferred options stage are contained in the consultation plan (appendix D).

## **PLANNING COMMITTEE COMMENTS**

11. The preferred options were reported to Planning Committee on 26 February 2008 for comment. Members' comments are summarised in appendix G. Some amendments have been made to the Preferred Options Report in response to the comments and these are set out in appendix G. The majority of the comments however will be taken forward and considered at the next stage in the process in which the council prepares the draft AAP.

## **KEY ISSUES FOR CONSIDERATION**

12. The Aylesbury AAP preferred options are grouped under five key themes: better homes, better and safer streets, squares and parks, improved transport links, enhanced social and economic opportunities and finally the delivery of the AAP.

### **Better homes**

13. The preferred option is to redevelop all buildings on the estate and provide approximately 5000 new homes. Around 45% of the new homes will be affordable with a 75%/25% split between social rented and intermediate homes. The objective is to maximise re-provision of social rented homes and ensure that the rehousing needs of existing tenants can be met, while introducing a good proportion of intermediate homes and providing enough private homes to ensure that the proposals are viable and to ensure a mix of tenures. Our current modelling estimates that there will be no loss of affordable housing on the footprint of the estate. However, some existing social rented units would be replaced by intermediate units. Officers consider this to be a necessary compromise to ensure the proposals are deliverable. At issues and options stage, officers at the Greater London Authority (GLA) indicated that this approach would be compliant with London Plan policy.
14. The council is keen to ensure that the new neighbourhood is attractive for families. Approximately 25% of new dwellings will have 3 or more bedrooms and 42% will have two bedrooms. This breakdown is derived from Southwark's 2006 Housing Needs Assessment and the anticipated rehousing needs of existing residents. The AAP will rely on space standards set out in the council's Residential Design Standards Supplementary Planning Document (SPD), although the council will use its role as a landowner to drive space standards up, as happened in the Aylesbury south-west corner proposals (site 1a).
15. All new homes will meet lifetime homes standards. Energy and heating will be provided by a combined heat and power system (CHP) and district heating. Renewables (biomass heating) will be used to reduce carbon emissions by 20% in line with the revised London Plan. All homes will meet at least Code for Sustainable Homes level four (the equivalent to an Eco-homes "excellent" rating). This will rise to levels five and six in future years in line with proposed changes in the Building Regulations. Overall, the aim of the AAP will be to achieve carbon zero growth.

### **Better and safer streets, squares and parks**

16. The option to introduce green fingers, extending north from Burgess Park into the new neighbourhood, received strong public support and have been incorporated in the preferred street layout option.
17. Most of the buildings in the new neighbourhood area will be four to six storeys high. This will drop down to two to four storeys next to conservation areas and increase to 10 storeys on the frontages to Burgess Park and Thurlow Street. The development will also contain some carefully located and designed taller buildings including one district landmark (between 15 and 20 storeys) at the junction of Thurlow Street and Albany Road and one local landmark (between 10 and 15 storeys) at the junction of Thurlow Street and East Street.

18. Public responses on the issue of building heights were relatively split: some 64% of respondents favoured provision of a range of building heights, and of these 38% backed some tall buildings. The tall buildings proposed will mark key gateways into the new neighbourhood and help create a more legible environment. The range of building heights will contribute to creating areas with distinct character and enable a range of housing types to be provided, including a substantial number of houses and maisonettes.
19. The preferred option is to develop a well-connected and high quality network of open spaces of different sizes, functions and for different age groups within the Aylesbury area. These spaces will include both equipped and informal play and sports spaces for all age groups, as well as more formal spaces for relaxation and learning. There will be approximately the same amount of open space within the AAP area (i.e. 60 hectares), although some of this will be within communal gardens and private garden areas. A tariff based charge per dwelling (the equivalent to s106) will raise some funds to regenerate the northern half of Burgess Park which will be a key driver for increasing values and helping make the project more viable. The preferred option will also involve improving Surrey Square which received significant public support.

### **Improved transport links**

20. Transport preferred options seek to improve the environment for walking and cycling and enhance public transport. Three options were set out for the tram route. These include the two options which TfL consulted on earlier this year. In option three, the tram would run along Beaconsfield Road and then Wells Way. The proposed street layout can accommodate all three options and enable any to be taken forward. The preferred options also seek to improve bus services. The council is currently working with Transport for London (TfL) to consider the business case for improving the frequency of existing services. This element of the AAP will be critical given timescales for implementing the tram.
21. The preferred option for car parking will be to provide the minimum needed to operate the development successfully. A maximum of 0.4 spaces would be provided per dwelling, as census data and transport surveys suggest that car ownership is no higher than 40%, and the modal split of journeys made by car is considerably lower: approximately 20% of journeys to work are made by car. The majority of allocated parking spaces would be provided in underground car parks. On ground parking will be either allocated on unadopted highway or within the public highway regulated by a Controlled Parking Zone (CPZ). In addition to that, short term parking will be provided in the public highway along Albany Road, Thurlow Street and Portland Street. Priority for spaces will be given to larger family homes and homes that require wheelchair access.

### **Enhanced social and economic opportunities**

22. The preferred option is to cluster retail, employment and community facilities to enable them to support one another. The community spine (Westmoreland Road and Beaconsfield Road) will link retail, learning and community facilities located on Westmoreland Road (phase 1a), Michael Faraday School and Thurlow Street. Flexible community space will be provided at the Amersham Centre, and around 2,500sqm of employment space will be located adjacent to East Street. This would provide space for small businesses, and would potentially be “grow-on” space for businesses emerging from the anticipated Elephant and Castle incubator. Space will be provided for employment support facilities and the preferred option also promotes procurement agreements with developers to ensure that local small and medium sized enterprises (SMEs) are used to obtain goods and services.
23. The preferred option also seeks to support the PCT’s objectives to deliver a “hub and spoke” model for the Aylesbury estate, with a central facility local at Elephant and Castle, linked to a smaller local facility on the estate.

## **Delivery**

24. Delivery is a key part of the overall plan and when the AAP is examined, the council will need to be able to demonstrate to the inspector, that it is realistic, viable and can be implemented.
25. Implementation of the first phase of the redevelopment is already underway. Phase 1a in the south west corner has outline planning permission and the council is currently finalising contractual arrangements with the registered social landlord (RSL) that will deliver the scheme. A further three sites have been identified that could be brought forward for development in a manner consistent with the Southwark Plan and prior to the adoption of the AAP. Tenants in the first phase of development will need to move off the estate and the council is working with RSLs to deliver a number of early housing sites in the vicinity.
26. The council is undertaking financial modelling for the redevelopment and officers consider that with realistic assumptions about growth in land values (regeneration at the Elephant and Castle in particular will be a key driver) the scheme will be deliverable. The experience of phase 1a would reinforce this view. The preferred options report sets out a phasing plan which focuses initially on the periphery of the estate and in areas with higher public transport accessibility and which subsequently works inwards towards the southern end of Thurlow Street. It seeks to combine lower and higher value sites within each phase to ensure that the whole scheme can be delivered.

## **Community impact statement**

27. The purpose of the Area Action Plan is to facilitate the development of the Aylesbury Estate and the regeneration of the surrounding area, including Burgess Park in a sustainable manner ensuring that the impact on the community is taken into account.
28. In preparing the preferred options report, the council has also completed an Equalities Impact Assessment (EqIA) stage 2 assessment (appendix C). This report highlights a number of key issues that need to be addressed in preparing the AAP. The first of these is the need to ensure that the methods used to consult and engage people in the preparation of the AAP are open and accessible to all members of the community. To help address this issue the council prepared a consultation strategy that sets out the principles of how it will consult and the importance of reducing barriers to consultation. It emphasises that particular needs such as access, transport, childcare and translation need to be considered, as well as a strategy to broaden the appeal of consultation and make it attractive to a diverse range of people and groups. At issues and options stage the council used a variety of means to publicise and consult on the AAP. Consultation monitoring revealed that a very broad range of groups were involved, particularly in the Building Futures exhibition. The range of people who responded to the formal questionnaire on the issues and options was much narrower and emphasised the need to continue to pursue informal means of engaging with the local community.
29. The EqIA scoping identified the need to ensure that the AAP does not limit the opportunities for small and medium sized businesses (SMEs) and that such businesses are not displaced by development. The scoping was reported to the council's Equalities Panel and this issue was raised by the panel. To address this, the preferred options report sets out a broad strategy for encouraging enterprise and employment. Around 2,500 sqm of employment floorspace suitable for small businesses would be provided in the masterplan area. This would potentially provide grow-on space for businesses leaving the incubator which is anticipated at the Elephant and Castle and it is estimated could accommodate around 80 businesses. In addition, local procurement arrangements will be put in place to require organisations delivering the redevelopment of sites in the masterplan area to obtain an agreed proportion of the necessary goods and services from the local area in order to benefit local businesses and residents. S106 agreements would be used to help target training and employment opportunities that arise from the redevelopment to be targeted towards local people.

30. The EqIA scoping also noted the importance of maintaining provision for childcare, training and health services both while redevelopment is taking place and once it has been completed. The preferred options seek to ensure that existing services including pre-school provision such as Tykes Corner, the Half Pint Club, Aylesbury Early Years Centre, and Aylesbury pre-school will be maintained until new space is made available as part of the redevelopment. Further work will help us decide in more detail the amount of new space needed for children's services in the future.
31. An interim sustainability appraisal has been prepared to ensure the wider impacts of development are addressed. Both the sustainability appraisal and the EqIA will be taken forward in preparing the draft AAP.

### **Resource/financial implications**

32. This report does not bring any further direct resource or financial implications.

### **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

#### **Director of Legal and Democratic Services**

32. The Aylesbury AAP focuses on implementation of planning policy, by providing an important mechanism for ensuring development of an appropriate scale, mix and quality for the Aylesbury Estate and surrounding area.

#### **Procedure for adoption of the Aylesbury AAP (refer also to Figure 1 below)**

33. Regulation 7 of the Town and Country planning (Local Development) (England) Regulations 2004 ('The Regulations') provides that Area Action Plans must be development plan documents (DPDs). This means that the Aylesbury AAP has the benefit that it will have development plan status once adopted.
34. The fact that the Aylesbury AAP will have DPD status also means that the legislative processes for the preparation of DPDs must be followed. The preparation process can be divided into four stages: -
- i. Pre-production – survey and evidence gathering leading to decision to include the Aylesbury AAP in the Local Development Scheme;
  - ii. Production – preparation of preferred options in consultation with the community, formal participation on these, and preparation and submission of the Aylesbury AAP in light of the representations on the preferred options;
  - iii. Examination – the independent examination into the soundness of the Aylesbury AAP; and
  - iv. Adoption – the binding report and adoption.

The report that members are currently being asked to consider forms part of the production stage, as detailed above.

35. In preparing the Aylesbury AAP the council must have regard to: -
- a. National policies and guidance;
  - b. The London Plan;
  - c. Southwark 2016, the sustainable community strategy;
  - d. Any other DPDs adopted by the council; and
  - e. The resources likely to be available for implementing the proposals in the Aylesbury AAP.
36. Regulation 25 of the Regulations requires the council to consult with the community and stakeholders during the preparation of the preferred options and publish an initial sustainability report. The required consultation has taken place in preparing the preferred options report as set out at paragraphs 6-10 of this report.

37. The preferred options report together with the sustainability appraisal report will be published and representations invited over period of six weeks, which is a requirement of Regulation 26. The council will then consider all the representations made as required by Regulation 27 and have regard to them in the preparation of the Aylesbury AAP for submission at the Examination stage (see above).

### **Strategic Environmental Assessment/Sustainability Appraisal**

38. The European Directive 2001/42/EC requires an 'environmental assessment' of plans and programmes prepared by public authorities that are likely to have a significant effect upon the environment. This process is referred to commonly as 'Strategic Environmental Assessment' (SEA).
39. The Planning and Compulsory Purchase Act 2004 also requires sustainability appraisal (SA) of all emerging DPDs and therefore the Aylesbury AAP too. SA and SEA are similar processes that involve a comparable series of steps. If there is a difference between them, it lies in the fact that SEA focuses on environmental effects whereas SA is concerned with the full range of environmental, social and economic matters.

### **Equality Impact Assessment**

40. At all stages of the Aylesbury AAP Process and the Sustainability Appraisal process the council will be required to carry out an Equality Impact Assessment (EqIA) to improve the work of Southwark by making sure it does not discriminate and that, where possible, it promotes equality. This will ensure that individuals and teams think carefully about the likely impact of their work on the residents of Southwark and take appropriate action to improve the Aylesbury AAP.

### **Human rights implications**

41. It is likely that the Aylesbury AAP will engage certain human rights e.g. the right to a fair trial (article 6), the right to respect for private and family life (article 8) and Article 1, Protocol 1 (Protection of Property). The term 'engage' simply means that human rights may be affected or relevant. The Human Rights Act 1998 (HRA) makes it unlawful for any public authority to act in a way that is incompatible with the HRA. This means that the council must understand human rights and take them into account in its day-to-day work. The fact that a policy or decision restricts a human right does not necessarily mean that it will be incompatible with the HRA.
42. It is important to note that not all rights operate in the same way. Some rights are absolute (of which there are very few) and cannot be interfered with under any circumstances. Other rights can be interfered with or limited in certain circumstances, for example where it is necessary in order to protect other people or the community.
43. The Aylesbury AAP is likely to engage human rights is because it may result in the restriction of certain rights e.g. in relation to how people may use or develop certain sites. In general, human rights principles are inherent in domestic law, *Lough v First Secretary of State* [2004] 1 WLR 2557. As the preferred option papers have been prepared in accordance with the statutory process, it is likely that they are in conformity with the HRA. Any human rights implications will be considered throughout the preparation and adoption process of the Aylesbury AAP.

### **Comments required by members**

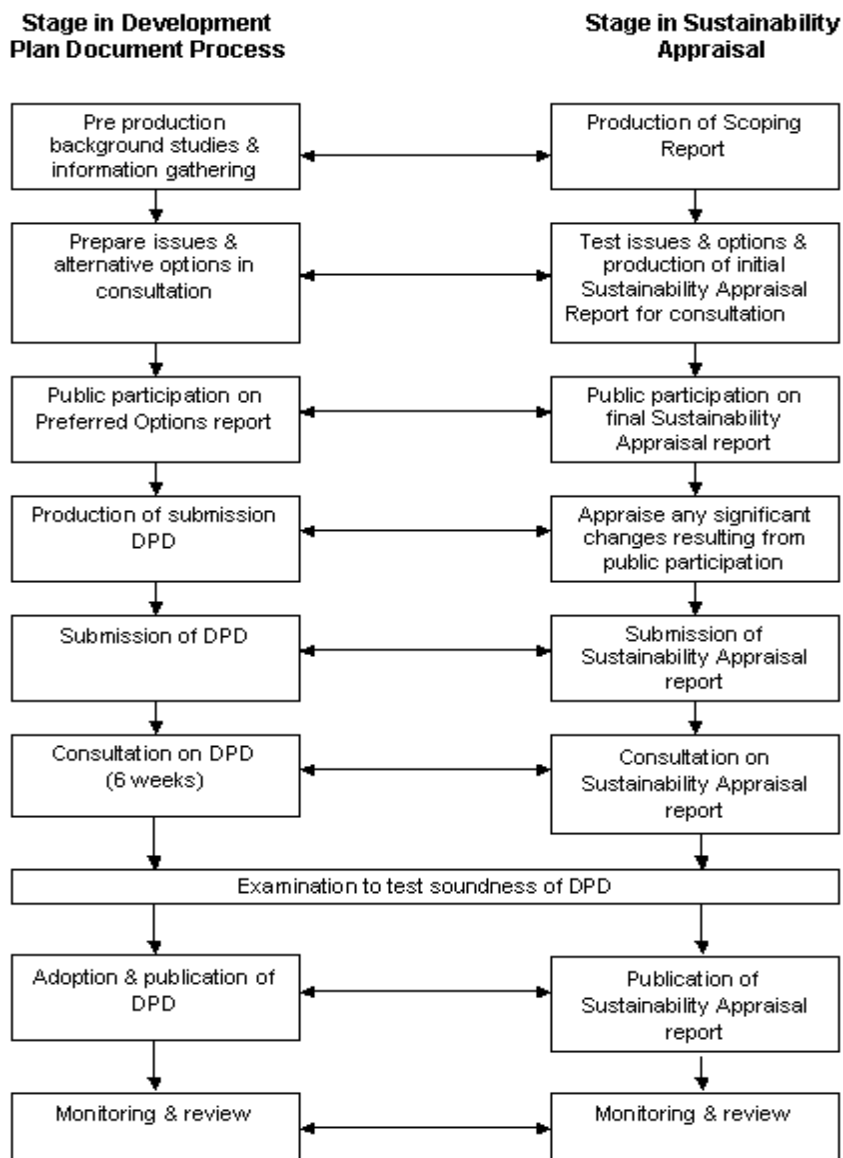
44. Under Part 3F, paragraph 7 of the Constitution 2007/08, it is the Planning Committee's function to comment on successive drafts of the development plan document (including the UDP) and make recommendations to the Executive as appropriate. In terms of hierarchy any AAP once adopted is a development plan document which will form part of the budget and policy framework and which will replace the Southwark Plan 2007 (UDP) in respect of those

areas to which it relates. This means that the ultimate decision to adopt the Aylesbury AAP will be taken at Council Assembly, once the final draft is prepared following the statutory procedure for preparation and adoption.

45. The preferred options report together with members' comments will be presented to the Executive for adoption for consultation purposes. The role of adopting plans and strategies is normally reserved to individual executive members in relation to their area of responsibility, as is the role of agreeing broad consultation arrangements. However, there is an exception to this contained in Part 3D paragraph 6 of the constitution which provides that this does not apply where the plans and strategies relate to cross-cutting issues and it is considered that the Aylesbury AAP is such a plan or strategy. Part 3E of the constitution notes that the Major Projects Board (as an Executive committee) has the same powers as Executive, within the role/functions of MPB. These are defined as decisions on policy in respect of major projects that are required to deliver the major project (para 13 of Part 3E) and agreeing the delivery plans for each major project (para 1 of Part 3E). Agreeing the preferred option report for consultation for an area action plan for the area of Aylesbury Major Project would fall within that. In addition, the Statement of Community Involvement which was adopted by the Executive on 29 January 2008 establishes that the decision to adopt the preferred options report and interim sustainability appraisal and strategic environmental assessment for consultation is to be taken by the Executive (or Major Projects Board as an Executive committee).
- 46 It is therefore considered appropriate for members to comment and make recommendations to the Executive about the preferred options report, which is effectively the initial stage of the preparation of the Aylesbury AAP, before it is adopted for consultation.



**Figure 1: Process of preparing a Development Plan Document and Sustainability Appraisal**



## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Aylesbury Area Action Plan Consultation Strategy	Planning Policy Team Chiltern House	Tim Cutts 020 7525 5380
Aylesbury Area Action Plan Baseline Report	Planning Policy Team Chiltern House	Tim Cutts 020 7525 5380

## APPENDICES

No.	Title
Appendix A	Aylesbury Area Action Plan Preferred Options Report (hard copy sent out separately to all committee members)
Appendix B	Sustainability Appraisal (hard copy sent out separately to all committee members)
Appendix C	Equalities Impact Assessment (sent out separately)
Appendix D	Consultation Plan (sent out separately)
Appendix E	Consultation Statement (sent out separately)
Appendix F	Appropriate Assessment (sent out separately)
Appendix G	Planning Committee comments on Preferred Options Report

Appendices A-G are also available to download on the Southwark website: [www.southwark.gov.uk/YourCouncil/AgendasMinutes/committees/majorprojectsboard/](http://www.southwark.gov.uk/YourCouncil/AgendasMinutes/committees/majorprojectsboard/)

## AUDIT TRAIL

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<b>Report Author</b>	Tim Cutts, Principal Planning Policy and Regeneration Officer	
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<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Borough Solicitor and Secretary	Yes	Yes
Finance Director	No	No
Executive Member	Yes	No
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