

<b>Item No.</b> 6	<b>Classification:</b> Open	<b>Date:</b> 7 September 2004	<b>Meeting Name:</b> Planning Committee
<b>Report title:</b>		Draft Supplementary Planning Guidance for Dulwich	
<b>Ward(s) or groups affected:</b>		College and Village	
<b>From:</b>		Strategic Director of Regeneration	

### RECOMMENDATION

1. To comment on the draft Dulwich Supplementary Planning Guidance prior to adoption for formal consultation by the Council Executive.

### BACKGROUND INFORMATION

2. This SPG has been developed within the context of the national, regional and local planning frameworks, all of which are rapidly changing.
3. Since the adoption of the Southwark Unitary Development Plan in 1995, the Mayor has produced the Spatial Development Strategy, known as the London Plan. To be consistent with this new strategic planning context for London, Southwark Council, as the Local Planning Authority, is currently producing a revised Unitary Development Plan, which was placed on second deposit between May - July 2004.
4. 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 covering a broad range of issues including both topic based SPGs and strategic area based SPG's for key locations. Many area based SPGs were produced alongside the first draft Southwark Plan in November 2002, however, this is the first draft of an SPG for Dulwich.
5. In view of the above situation, this SPG acknowledges the continuing role of the adopted UDP 1995 but has also been designed to achieve the vision for Dulwich in the emerging Southwark Plan (2004).

### Consultation

#### Pre-deposit Consultation:

6. **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.
7. **Local Issues Paper** (Issued September 2001, Consultation completed November 2001) Six Local Issues Papers were prepared, including one for Dulwich, which reflected back all of the comments received following the Key Issues Paper and considered how they relate to local issues in each of the six areas in Southwark. Forums were also set up within each of the areas that will be used in future consultation.

#### Post-deposit Consultation:

8. **First Deposit Consultation** - Public consultation on the draft UDP (2004) was undertaken between 14 May and 9 July 2004. This was the fourth consultation phase in the preparation of the Southwark Plan. At the same time consultation started on 27 draft supplementary planning guidance documents.
9. **Second Deposit Consultation** - Public consultation on the draft UDP (2004) was undertaken between 14 May and 9 July 2004. This was the fourth consultation phase in the preparation of the Southwark Plan.
10. Comments and representations received throughout the preparation of the Southwark Plan have been taken into account in preparing this SPG.

## **KEY ISSUES FOR CONSIDERATION**

### **Key Features Of The Draft Dulwich Supplementary Planning Guidance**

11. The area covered in this SPG is the extent of the **Suburban South area** identified on the draft Southwark Plan proposals map with an extension into the **Suburban North zone** to incorporate the extent of Herne Hill and Dulwich Village Neighbourhood Areas and also Dulwich Village and Stradella Road Conservation Areas.
12. The purpose of this SPG for Dulwich is to establish a framework to ensure that future development maintains, protects and enhances Dulwich. It defines the spatial characteristics and functions of Dulwich, highlights areas for protection and provides further guidance on the strategy and policies that relate to Dulwich in the adopted 1995 UDP in the emerging Southwark Plan (2004).
13. The SPG provides specific guidance in relation to:
  - Land use distribution and mix;
  - Design, quality and character of the built form;
  - Movement and accessibility;
  - Public realm: open spaces and places;
  - Planning obligations.
14. The guidance will be used as a significant material consideration in assessing any development proposals within the Dulwich area, providing the community, including residents, businesses and prospective developers, with a clear view of the Local Planning Authority's expectations.
15. The draft Dulwich SPG has undergone a Sustainability Appraisal based on the approach developed by forum for the future for the evaluation of the Southwark Plan. The aim of the Sustainability Appraisal is to evaluate how well the SPG supports relevant sustainable development objectives and will contribute to the achievement of sustainable development through its implementation. The assessment also aims to identify any conflicts to ensure that the guidance is compatible with the current UDP (1995) the Southwark Plan (2004) and other SPGs and is working towards a coordinated approach to sustainability.

### **What Happens Next?**

16. The draft Dulwich SPG will be reported to Council Executive on 12 October with a recommendation that it be formally adopted for consultation. If adopted the draft Dulwich SPG will be consulted upon for approximately three months from October 2004 to enable consultation with the community.
17. The consultation will be undertaken using the broad approach outlined in the consultation matrix (appendix 2). This will be incorporated into a consultation plan for the SPG that will involve an extensive mailout to businesses, residents, community and voluntary groups, schools and institutions within the SPG area as well as statutory consultees,

adjoining boroughs and other interested parties. Information about the SPG will also be made available through the Community Councils, the internet and public meetings.

18. The draft SPG together with a consultation plan was presented to the Dulwich Community Council on 19 July 2004 for comment initial comment.
19. Following consultation on the draft Dulwich SPG, the representations that are received will be considered in preparing a final draft of the SPG. The final draft will be taken to the Dulwich Community Council for information. It will then be presented to Planning Committee for final comments before it is taken, with recommendation from Planning Committee, to Executive for approval for final adoption. It is hoped that the Dulwich SPG will be adopted in Spring 2005.

#### **CONCURRENT REPORT OF THE BOROUGH SOLICITOR (LEGAL IMPLICATIONS)**

20. The report recommends that the Planning Committee comments on the attached draft Dulwich Supplementary Planning Guidance prior to its consideration by the Executive for adoption for consultation purposes. Following formal consultation the Council will consider adopting the guidance as Supplementary Planning Guidance ("SPG") to the Southwark Unitary Development Plan ("the UDP"). The Guidance will also act as supplementary guidance to the emerging UDP, the Southwark Plan, which has recently been placed on deposit for the second time. This will be the first occasion on which formal consultation has taken place on the draft SPG, although members will note that informal consultation has already taken place.
21. Section 12 of the Town and Country Planning Act 1990 ("the 1990 Act") requires the council to prepare a UDP within such period as the Secretary of State may direct. In Southwark, the current UDP was adopted in July 1995 following full local consultation and examination in public: this plan is currently being reviewed. Section 54A of the 1990 Act provides that where, in making any determination under the Planning Acts, regard is to be had to the development plan (UDP), the determination shall be made in accordance with the plan unless material considerations indicate otherwise. The UDP is therefore a key document in dealing with planning applications and other matters under the planning acts. However, national and regional planning policy has changed in the period since the adoption of the current UDP and continues to change in response to changing circumstances.
22. PPG 12: Development Plans, issued in December 1999 recognises that SPG can have a valid role to play in the planning process and that, although only policies in the UDP have the status accorded by section 54A of the 1990 Act, SPG may be taken into account as a material consideration. SPG must be consistent with national and regional planning guidance and be consistent with the policies in the UDP.
23. The draft guidance indicates how it is consistent with national and regional planning guidance and how it is consistent with both the adopted UDP and the emerging UDP. References to national and regional guidance and the planning policies in the UDP and emerging UDP occur throughout the draft SPG.
24. PPG 12 advises that SPG should be: -
  - Clearly cross-referenced to the relevant plan or policy which it supplements;
  - Issued separately from the plan;
  - Made publicly available;
  - The subject of consultation;
  - Regularly reviewed; and
  - Its status should be clear.
25. Information contained within the report and the draft SPG indicates that the SPG will satisfy these tests.

26. Under the Council's constitution the Planning Committee's terms of reference include commenting on proposed SPG prior to its adoption by the Executive which has responsibility for approval of SPG.
27. A number of decided cases establish that proper consultation must satisfy the following criteria: -
- Be undertaken at a time when proposals are at a formative stage;
  - Include sufficient details of proposals to allow those consulted to give intelligent consideration and an intelligent response;
  - Adequate time must be allowed for consultation; and
  - The results of the consultation must be conscientiously taken into account when making a decision.

### **EQUAL OPPORTUNITIES IMPLICATIONS**

28. There are positive implications in relation to equal opportunities. It is considered that the Dulwich Supplementary Planning Guidance provides an excellent opportunity for all members of the community to become involved in shaping the future of land use planning and development in this area of the borough. 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.

### **BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
The Southwark Plan Key Issues Paper	Planning Policy Team Chiltern House	Kirstin Clow
The Southwark Plan Local Issues Paper for Dulwich		
The Southwark Plan (2002) – the First Draft for Deposit Southwark Unitary Development Plan		
The Southwark Plan (2004) – the Revised Draft Southwark Plan Unitary Development Plan.		

## Audit Trail

<b>Lead Officer</b>	Julie Seymour, Planning Policy Manager	
<b>Report Author</b>	Sarah Beuden Planning Policy and Regeneration Officer	
<b>Version</b>	Final	
<b>Dated</b>	27 August 2004	
<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	Yes
<b>Executive Member</b>	No	No
<b>Date final report sent to Constitutional Support Services</b>		

### APPENDICES

Appendix 1 Consultation Plan for the draft Dulwich Supplementary Planning Guidance

## Appendix 2 - Target Groups and methods planned to reach them and Consultation Plan

Proposed Consultation	Consultation Targets							
	Member Consultation	Every Household	Representative sample	Hard-to-reach groups	Established Community groups	Local business	Statutory Consultees	Local Strategic Partners
<u>Area Forum Newsletter</u>	Partly	Yes	Yes	Yes	Yes	Yes	No	Yes
Southwark Life	Partly	Yes	Yes	Yes	Yes	Yes	No	Yes
Council Website	Partly	No	Yes	Partly	Partly	Partly	Partly	Partly
Mailing to interested parties	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes
Presentations at Local Events	Partly	No	Yes	Partly	Partly	Partly	No	Partly
Use of Community Councils for presentations.	Yes	No	Yes	Partly	Partly	Partly	No	Partly
Business consultation through presentations	Partly	No	No	Partly	No	Yes	No	Partly
Statutory Newspaper Article	Partly	No	Yes	Partly	Partly	Partly	Partly	Partly
UDP's distributed to public buildings.	Partly	No	Partly	Partly	Partly	Partly	No	Partly
<u>UDP Launch</u>	<u>Partly</u>	<u>No</u>	<u>Partly</u>	<u>Partly</u>	<u>Partly</u>	<u>Partly</u>	<u>Partly</u>	<u>Partly</u>
Boroughwide Meeting	Partly	No	No	Partly	Partly	Partly	No	Partly
Leaflets and posters	Yes	No	Yes	Yes	Yes	Partly	Yes	Yes

Individual/ Organisation Name	Date	Method of Consultation	Age Group	Gender	Ethnicity	Total Number
196 records on the database		Letter				
Residents		Letter Community Council meetings				
Councillors		Letter Community Council Meetings				
Alleyn Memorial Allotments		Letter				
Countisbury House TRA		Letter Neighbourhood Forum Meeting				
Croxted Road TRA		Letter Neighbourhood Forum Meeting				
Camberwell and District Allotment Society		Letter Possible Meeting				
Dulwich Estates		Letter Meeting				
Dulwich Park Friends		Letter Possible Meeting				
Dulwich Village Preservation Society		Letter				
Dulwich Society		Letter Meeting				
Dulwich Village Traders Association		Letter Possible Meeting				
East Dulwich Society		Letter				
Friends of Belair Park		Letter Possible Meeting				
Herne Hill Society		Letter Meeting				
Herne Hill Traders Association		Letter Possible Meeting				

Kingswood Estate TRA		Letter Neighbourhood Forum Meeting				
Living Streets		Letter				
Southwark Cyclists		Letter				
Stradella and Springfield Residents Association		Letter Meeting				
Sydenham Hill TRA		Letter Neighbourhood Forum Meeting				