

Item No. 7	Classification: Open	Date: 7 September 2004	Meeting Name: Planning Committee
Report title:		Draft Supplementary Planning Guidance for Canada Water	
Ward(s) or groups affected:		Surrey Docks and Rotherhithe	
From:		Strategic Director of Regeneration	

RECOMMENDATION

1. To comment on the draft Canada Water 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 both topic based SPGs and strategic area based SPG's for key locations.
5. An initial draft SPG for Canada Water was produced alongside the first draft deposit Southwark Plan in November 2002. This was consulted upon for three months between November 2002 and February 2003. The new draft Canada Water SPG is a replacement of this draft and not a revision.
6. 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 Canada Water in the emerging Southwark Plan (2004).

Consultation

Pre-deposit Southwark Plan Consultation:

7. **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.
8. **Local Issues Paper** (Issued September 2001, Consultation completed November 2001) Six Local Issues Papers were prepared, including one for

Rotherhithe and Bermondsey. These Local Issues Papers reflected 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 Southwark Plan Consultation:

9. **First Deposit Consultation** - Public consultation on the draft UDP (2004) was undertaken between 14 May and 9 July 2004.
10. **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.
11. Comments and representations received throughout the preparation of the Southwark Plan have been taken into account in preparing this SPG.

Supplementary Planning Guidance Consultation:

12. Public consultation on the first draft SPG for Canada Water was undertaken from November 2002 for a three-month period. 47 submissions were made and these comments have been taken into consideration in this revised SPG. All submissions and the officer's responses are contained in Appendix 3 of this report.

Other Consultations:

13. This SPG has been preceded by several years of consultation on the Canada Water Regeneration Area. This consultation started in 2001 and is ongoing. The community has been involved throughout via the Canada Water Consultative Forum, two MORI surveys (2000 and 2003), regular newsletters, a website and in the writing of the 'Topic Papers' and the Master Development Brief.
14. In June 2003 an exhibition called 'It's Canada Water' was held to display the proposals received for a future Master Plan of the area. Over 1100 people attended the exhibition and the many thousands of comments were received.

KEY ISSUES FOR CONSIDERATION

Key Features Of The Draft Canada Water Supplementary Planning Guidance

15. The SPG area encompasses the Canada Water Action Area, which is situated within the Rotherhithe Peninsula and includes large sites of vacant land and other land developed in the 1980s and 1990s.
16. Action areas are defined in the revised draft Southwark Plan (2004) as *'geographical areas identified by the LPA that are expected to undergo significant strategic land use changes in the coming years.'*
17. The regeneration of the Canada Water Action Area presents a unique opportunity to establish a new distinctive community focus for the Rotherhithe Peninsula. The purpose of this SPG is to establish a framework for the future development of the Canada Water Action Area and to provide a clear picture of the Local Planning Authority's expectations for the area and provides guidance in relation to:
 - Land Use;

- Built Form;
 - Movement and Accessibility;
 - Sustainable Design;
 - Key Development Sites; and
 - Planning Obligations.
18. The SPG will be a material consideration in the evaluation of planning applications within the Action Area. It is designed to remain responsive to changing conditions and will be monitored and reviewed in light of experience, including planning appeals, the adoption of the draft UDP (2004) and changes in national policy and regulations.
19. The draft Canada Water 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 that manner in which the SPG supports relevant sustainable development objectives and whether its implementation will contribute to the achievement of sustainable development. 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?

20. The draft Canada Water SPG will be reported to Council Executive on 12 October with a recommendation that it be formally adopted for consultation. If adopted the draft Canada Water SPG will be consulted upon for a period of six weeks between 28 October and 9 of December.
21. The scope and consultation plan was agreed by the Rotherhithe Community Council on 2 June 2004. A draft SPG was then presented to the Community Council on 26 July 2004 for information purposes.
22. The consultation will undertaken using the broad approach defined in the consultation matrix (appendix 2). It 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.
23. Following consultation on the draft Canada Water 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 Rotherhithe 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 Canada Water SPG will be adopted in Spring 2005.

CONCURRENT REPORT OF THE BOROUGH SOLICITOR (LEGAL IMPLICATIONS)

24. The report recommends that the Planning Committee 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. Members will note that a previous version of the SPG was the subject of extensive consultation and that this latest version has already been the subject of extensive informal consultation.

25. 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 comments on the attached draft Canada Water Supplementary Planning Guidance prior 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.
26. 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.
27. 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.
28. 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.Information contained within the report and the draft SPG indicates that the SPG will satisfy these tests.
29. 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.
30. 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

31. There are positive implications in relation to equal opportunities. It is considered that the Canada Water 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

Background Papers	Held At	Contact
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.		

APPENDIX A

Audit Trail

Lead Officer	Julie Seymour, Planning Policy Manager	
Report Author	Sarah Beuden Planning Policy and Regeneration Officer	
Version	Final	
Dated	16 th August 2004	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER		
Officer Title	Comments Sought	Comments included
Borough Solicitor & Secretary	Yes	Yes
Executive Member	No	No
Date final report sent to Constitutional Support Services		

APPENDICES

- Appendix 1 The draft Canada Water Supplementary Planning Guidance
- Appendix 2 Consultation Matrix and Consultation Plan for the draft Canada Water Supplementary Planning Guidance
- Appendix 3 Consultation Database (to be circulated prior to meeting)

Appendix 2

Consultation Scheduled

Individual/ Organisation Name	Date	Method of Consultation	Age Group	Gender	Ethnicity	Total Number
417 records in Planning Policy database Property Department's Consultation Database and Email List		Letter and Email as appropriate				
General Public		Website Southwark Life				
Local Residents		Letter sent to all residents within the Action Area and immediately adjacent. Invitation to Community Council and general public meeting. Public information display at the Surrey Quays Shopping Centre.				
Rotherhithe Community Council		Presentation & discussion at Community Council Meeting.				
Councillors		Presentation & discussion at Community Council Meeting.				
Objectors		Letter and copies of SPG Community Council Meetings				

Tenants and Residents Association		Letter and copy of SPG Possible attendance at meeting (Cherry Gardens, Abbeyfield, Alfred Salter, Lynton Road, Redriff T& RA, Bonamy)				
Businesses		Letter Invite to Community Council Meetings				
Canada Water Consultative Forum		Letter and copies of SPG Possible attendance at meeting				
Canada Water Campaign		Letter and copies of SPG Possible attendance at meeting				