

<b>Item No.</b> 6.	<b>Classification:</b> Open	<b>Date:</b> 20 December 2011	<b>Meeting Name:</b> Planning Committee
<b>Report title:</b>		Draft 2010/11 Annual Monitoring Report	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		Deputy Chief Executive	

## RECOMMENDATION

1. That planning committee provide comments on the draft 2010/11 Annual Monitoring Report (Appendix 1 of this report) for the cabinet member for regeneration and corporate strategy to consider.

## BACKGROUND INFORMATION

2. The government requires councils to produce an annual monitoring report (AMR) by 31 December each year. This requirement is set out in section 35 of the Planning and Compulsory Purchase Act 2004.
3. There were changes introduced by the Secretary of State this year that withdrew the Core Indicators and gave local authorities more flexibility to choose what they monitor. However there is still a requirement to produce an Annual Monitoring Report (AMR) each year.
4. Southwark Council considers that the AMR needs to set out:
  - What progress the council is making in producing the planning documents that we have timetabled in the local development scheme. Where our timetable is not being met the report sets out an explanation.
  - The extent to which our planning policies are being implemented, including what impact they are having on achieving monitoring targets, such as those relating to housing provision.
  - The significant effects that implementation of the policies are having on the local environment, communities and economy, and whether they are as intended.
  - Whether policies are to be amended or replaced because they are not working or being implemented as intended.
5. This is the seventh AMR the council has prepared, and it covers the year 1 April 2010 to 31 March 2011 and is attached at Appendix 1.

## Consultation

6. The AMR will be available on our website in January 2012 for people to comment on and their responses will feed into next year's AMR.

## KEY ISSUES FOR CONSIDERATION

7. The main findings of this year's monitoring are summarised below.

## **Consultation**

### **Consultation development impacts**

8. No documents were adopted during the period. Sustainability appraisal scoping reports for the Affordable Housing SPD and for the Elephant and Castle SPD were consulted on during the monitoring period.
9. The results of our 2011 consultation survey are generally more positive than the survey carried out in 2009/10. There were four respondents only to the consultation satisfaction survey and we need to look at ways of improving responses to the survey. Key concerns raised are:
  - Information provided was not understood - we need to improve the ways in which we set out planning documents so that they are clearer to members of the public, for example, using plain English.
  - Receipt of acknowledgement of comments - we ensure acknowledgement is given to every respondent. Half the respondents in the survey did not answer this question which may account for the results.
  - Keeping informed of each stage of the process - we need to look at ways of keeping people informed of each next stage in the planning process. We are keeping how we consult under review and this will feed into revision to the SCI.
  - Understanding how comments are taken into consideration – we provide officer comments to all responses received when planning documents move to the next stage of consultation. Long periods of time between stages could be contributing to people's concerns that their comments have not been taken into account.

### **Consultation policy implications and improvements**

10. All our planning policy documents and planning applications were consulted on in accordance with the SCI. At each stage of preparation we have been monitoring the demographic breakdown of respondents. This should help to ensure that the views of local people can contribute towards making planning policies.

## **Life chances**

### **Life chances – development impacts**

11. The amount of contributions from section 106 agreements negotiated for education, health, children's play and sports development for this year has increased by £3,084,181 from last year, resulting in a total amount of £4,566,024 while the amount negotiated for community facilities decreased by 788,537. The increase in contributions since last year relates to the increase in the number of new major developments schemes coming forward. Our revised Local Development Scheme sets out that our decision to move towards preparing a CIL schedule rather than reconsult on a revised Section 106 SPD. We will be consulting on a preliminary charging schedule in 2012.

### **Life chances – policy implications and improvements**

12. Life expectancy of residents in the borough has improved year on year which shows that health problems are being addressed earlier and overall health care

is improving. Through the policies in our local development framework documents we will continue to work towards improving the health of our population and reduce health inequalities across the borough.

13. Southwark has improved from being the 26th most deprived borough to 41st in England. In spite of the significant improvement, we are still faced with issues like Income, Health and Disability, Housing and Crime deprivation. We therefore need to make sure that our planning policies in our local development framework and in our regeneration programmes continue to promote opportunities for people and put in place initiatives particularly for the most deprived areas of the borough to help reduce such inequalities.

## **Poverty and Wealth Creation**

### **Poverty and wealth creation – development impacts**

14. The amount of net B1 office floorspace developed has decreased since last year; however there are several large schemes under construction, around Bankside and London Bridge areas. The overall net increase in employment floorspace appears to be having a beneficial impact on residents in the borough with employment rates continuing to increase. The number of businesses which ceased is a concern and possibly reflects wider economic circumstances. There has been an increase in the number of hotel rooms developed, located in the north of the borough. This is due to the higher level of public transport accessibility in this area and close proximity to a large number of tourist attractions.
15. We have continued to negotiate funds through section 106 agreements. There has been a considerable increase in funding negotiated this year for training purposes than last year. A total of £2,086,330 was negotiated this year, compared to £587,085 last year. This is due to a number of large schemes being approved.

### **Poverty and wealth creation – policy implications and improvements**

16. Through our LDF documents we need to continue to support the provision of business space in town centres and in the CAZ, but also ensure other uses are supported as well to promote sustainable local communities, such as shops and residential. The amount of floorspace created which is suitable for small and medium sized enterprises has been minimal this year. The creation of small business space needs to be monitored more effectively to ensure we have an accurate picture of what is happening. We need to continue to encourage the provision of flexible floorspace in our Local Development Documents, and promote designs which meet the needs of Small and Medium sized Enterprises. We can secure the provision of flexible business space via Section 106 agreements or by conditions. In preparing LDF documents, we need to work closely with the council's economic development team to review how we can support new business enterprise growth and struggling businesses to ensure the local economy can thrive.

## **Clean and Green Built Environment**

### **Clean and Green – Built Environment – development impacts**

17. We are improving the quality of buildings and places in the borough. We have

continued to meet our objective to protect open space and focus new development on previously developed land. We have also improved our protection of the historic environment by adopting new conservation areas and listing new buildings. We are trying to improve places in the borough through new development. We continue to prepare area-based planning documents which provide clear guidance for different areas.

18. There has been a significant increase in the amount of S106 secured for the period including £50,000 of funding for conservation, which has received no funding for the past three years. These increases may be the result of a rise in the number of major schemes approved during the monitoring period. This is line with our overall policy intention to mitigate the negative impacts of development through S106 contributions. There has also been a rise in the number of Secured by Design certifications issued for the period.

### **Clean and Green – Built Environment – policy implications and improvements**

19. We need to ensure that new development is built to a high quality of design. Our adopted residential design standards supplementary planning document will help to do this and we have made updates to the SPD which were adopted in October 2011 (outside the monitoring period for 2010/11).
20. We adopted our Core Strategy in April 2011, just outside the monitoring period; this document sets out more up to date policies on design and heritage. This year we have new data from the Southwark Council Reputation Survey 2010, which shows resident perceptions of crime and how they identify with their area. This data will help us to monitor what impact new development may be having on how safe people feel and people's quality of life.
21. There was a 25% increase in the number of schemes achieving 'secured by design' standards and a significant increase in the amount of S106 secured for the period. This may be the result of an increase in the number of major schemes approved during the monitoring period. This is line with our overall policy intention to mitigate the impacts of development through S106 contributions.

### **Clean and Green Natural Environment**

#### **Clean and Green – Natural Environment – development impacts**

22. We are continuing to protect and improve open spaces and biodiversity. Our monitoring shows that new development is not taking place in Sites of Importance for Nature Conservation and that the amount of priority habitats in the borough has been increased. We recognise that we have limited information available on how new development is impacting on the natural environment. We have started to collect information on whether developments are achieving Code for Sustainable Homes or BREEAM. We know that no developments have been approved contrary to Environment Agency advice suggesting that there has been no harm to water quality in the borough as a result of new development. We also know that the levels of waste and green house gas emissions in the borough have been steadily decreasing which indicates new development is not having a negative impact on the natural environment.
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Importance for Nature Conservation and that the amount of priority habitats in the borough has been increased. We recognise that we have limited information available on how new development is impacting on the natural environment. We do not have information on whether developments are achieving Code for Sustainable Homes level 3 or higher or BREAAAM very good or higher yet. We know that no developments have been approved contrary to Environment Agency advice suggesting that there has been no harm to water quality in the borough as a result of new development. We also know that the levels of waste and green house gas emissions in the borough have been steadily decreasing which indicates new development is not having a negative impact on the natural environment.

### **Clean and Green – Natural Environment – policy implications and improvements**

24. We have two supplementary planning documents on sustainability which are beginning to have an impact on development in the borough. We have reviewed our approach to the natural environment through the core strategy which seeks higher environmental standards from new development. This includes setting a target for residential development to meet Code for Sustainable Homes level 4 and different BREEAM targets for non-residential development. We will report back on this in next year's AMR. 26 major non-residential developments were permitted in 2010/11 of which we only have BREEAM information for 14 schemes. 11 schemes achieved a BREAAAM rating of "very good" and 3 schemes achieved BREEAM "excellent". This is similar to the previous year however it is difficult to determine a trend in the data until we are able to collect information from all applications.

### **Housing**

#### **Housing – development impact**

25. Our saved Southwark Plan policies and new Core Strategy policies seek to provide both more housing overall and more affordable housing. New development is helping to meet the needs of some of our residents and people wanting to live in Southwark, despite the impact of the recession. Overall, 1826 net new homes were built, which is 194 units above our overall Southwark Plan annual target of 1630 net new homes and a significant increase from last year. However, a new London Plan was adopted in July 2011 which increases our annual target to 2005 net new homes a year. Whilst this new target was not in place for the monitoring period of this AMR, we have shown how we will work towards meeting this increased target in our housing trajectory. Of the new homes built, 43% were affordable which is a 7% decrease from last year but still above the 35% policy requirement. New development has included 11% family housing. This is a 6% decrease on last year, although it still exceeds our policy of 10% family housing. This helps to meet the large need in our borough for more family housing. In particular 27% of social rented housing was family housing, which is the sector with the largest need for more family homes.

#### **Housing – policy implications and improvements**

26. For the year 2010/11 our housing target was 1,630. Next year we will need to meet a higher target of 2005 net new homes a year. So, although 1,826 homes were built this year, we will need to increase the completion rate if we are to meet our new target. Our housing trajectory shows that we can meet our adopted Core Strategy housing target of 1630 but that we will struggle to meet the new

London Plan target. We will need to keep our Development Capacity Assessment under review to ensure that we can monitor and forecast how well our policies are being implemented.

27. We need to continue to monitor our policy on the mix of new dwellings, in particular family dwellings. This year saw a slight drop in the completion of homes with more than 3 bedrooms – 11% compared to 17% last year. Through the Core Strategy we have increased the requirement for family housing in the majority of the borough. We will need to monitor the implementation of this new policy closely to ensure that more family homes are secured in order to meet the new requirements for 20% and 30% of new development to be family homes.

## **Transport**

### **Transport – development impact**

28. The Southwark plan sets a range of maximum car parking standards and minimum cycle parking standards as a means of encouraging more sustainable forms of travel. The number of residential schemes achieving our minimum bicycle parking standards rose significantly by over 20% this year, but it is still well below the target of 100 per cent. We have made good progress in restricting car parking provision, with almost all schemes complying with the maximum standards in the Southwark Plan. Car ownership has continued to decline in 2010/11, with just under 1000 fewer private cars registered in the borough. Estimated annual traffic flows fell by over 20 million kilometres this year.

### **Transport – policy implications and improvements**

29. Next year's AMR, the 2011/12 Annual Monitoring Report will be the first to be completed since the adoption of the Core Strategy. The Core Strategy builds on some of the principles in the Southwark Plan and Sustainable Transport SPD and contains, in Strategic Policy 2: Sustainable Transport, a range of measures to improve opportunities for pedestrian and cycle activity in the borough. Further detailed policies will be provided in area action plans and supplementary planning documents to address locally specific issues.
30. This year we have experienced a significant rise in the number of casualties as a result of vehicle collisions, which is a concern. It is therefore increasingly important that the cycle and pedestrian environment is designed to be safe, minimising the risk of conflict between pedestrians, cyclists and vehicles. Planning policy will continue to ensure that this is a priority for funding through s106 planning obligations. Specific improvements to pedestrian, cycle and vehicle networks will be determined through transport modelling and local consultation, and outlined in area action plans and SPDs. In addition, a range of initiatives will also continue to be delivered by Transport Planning, including education and training programmes for cyclists, which increased dramatically by almost 100%, with over 1000 people receiving tailored individual training.

## **Equalities**

### **Equalities – development impacts**

31. All of the planning documents prepared and adopted this year were subject to an EqIA which should help to ensure that our policies have a positive impact on

everyone in the community. At each stage of consultation we monitor the breakdown of respondents from different demographic groups. We review this and improve our methods of consultation as a result. A consultation statement for each document is produced setting out how we met the requirements of the SCI. During this monitoring period, we only consulted on sustainability scoping reports for the Affordable Housing and the Elephant and Castle SPD.

32. The ethnic makeup of Southwark's population changed slightly across different groups, but the overall trend remained the same – nearly 70% of the borough's population identify themselves as white, while nearly one-fifth identify themselves as black/British. The 2010 Equalities Act has been incorporated into Equalities Impact Assessments that have been prepared from April 2011 and this will be reported on from next year. It includes protected characteristics listed under the Act as age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

### **Equalities – policy implications and improvements**

33. We are aware that although we carry out much more detailed consultation than set out in statutory requirements, not all demographic groups are always fully represented and we are trying to improve the ways in which we consult local communities. We still need to collect more information on the demographic make-up of people commenting on our planning policies. Our consultation survey we have carried out as part of this AMR looks at this and we will address any issues arising from it in future consultations. We may review the SCI in 2012 depending on the outcomes of the National Planning Policy Framework.
34. The increase in households that are unintentionally homeless is concerning, rising from 468 to 510 in the past two recording years. This has implications on housing policy, in particular our delivery of affordable housing to ensure we are meeting our targets.

### **Area Monitoring**

#### **Area Monitoring – development impacts**

35. Development in the borough has been taking place mostly in the regeneration areas in line with planning policies for the borough. In Elephant and castle there was an overall gain of 646 new homes which was a substantial increase from previous years. There was also an increase of D1 community use in the wider Peckham and Nunhead Action area of 6,664sqm. There has been an increase in housing across the borough, most notably 212 units across the wider Peckham and Nunhead area, with 84% of these new units being affordable.
36. Overall vacancy rates for retail appear to have fallen across the borough although we only have data for some of the areas including Peckham, Camberwell and Lordship Lane. Vacancy rates for retail have remained the same for Elephant and Castle.
37. Office space (B1) has increased in the borough. There was a small increase in Elephant and Castle in Peckham and Nunhead there was a loss of B1 floorspace of 3,300sqm as well as 4,459sqm of B2 floorspace which was replaced with residential developments.

## **Area Monitoring – policy implications**

38. Our planning policies aim to direct new development to our growth areas. The information we have collected shows that the policies are directing new development to the right places. These are areas with good access to public transport and where regeneration will bring improved quality of life to local residents. We need to continue to monitor how our policies are affecting different areas to make sure development in the borough does not negatively impact on any of our local communities.
39. We also need to make sure we have the right amount of development taking place to provide for mixed and balanced communities in the borough. We need to make sure that we have vibrant town centres with a wide range of retail and leisure facilities. We also need to meet our housing targets by providing a wide range of homes for different people on different incomes. By monitoring how each of the different areas are changing we can help to improve access to jobs and education making sure that everyone in the borough has equal opportunities. Varying our approach to different areas of the borough also helps us to create distinctive places that people enjoy living and working in.

## **Local development scheme**

40. The timetable for the preparation of our planning policies (collectively called the Local Development Framework) is set out in the local development scheme. A new local development scheme for 2011-2015 was published in June 2011. This can be viewed at [http://www.southwark.gov.uk/info/856/planning\\_policy](http://www.southwark.gov.uk/info/856/planning_policy). This replaced the previous version of the LDS which was published in December 2009 and came into effect in January 2010. The AMR sets out our progress on the delivery of the LDS and the key changes.

## **Community impact statement**

41. The AMR is a useful tool for monitoring how our planning policies are impacting on the community. As the AMR does not set new policy or guidance itself it has no direct impact on equality in the borough. However, it does identify the need to continue to closely monitor our consultation to ensure that we engage with all groups of the community, including those with protected characteristics. We are looking into ways of monitoring our planning consultations more effectively. It also monitors the preparation of equalities impact assessments (EQIAs) for our planning policies. We prepare EQIAs for all of our policy documents. We do not need to prepare an EQIA for the AMR as it does not provide policy or guidance.

## **Sustainability considerations**

42. Regular monitoring identifies if new development is occurring in the most sustainable way and whether our planning policies need to be reviewed to achieve more sustainable development. Several of the indicators used in the draft AMR relate directly to sustainability, including energy efficiency, code for sustainable homes and planning contributions, employment and affordable housing. A sustainability appraisal is not required for the AMR.

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Strategic Director of Communities, Law & Governance**

43. An Annual Monitoring Report (AMR) is part of the Local Development Framework (LDF) and will assess the implementation of the LDS and the extent to which policies in 'saved' local plans and in Local Development Documents (LDD) are being implemented. The council is required to report on a range of 'core output indicators' which reflect the outcomes of their policies. The AMR must be based upon the period April 1 to March 31 and submitted to the Secretary of State no later than the 31 December.
44. Section 35 of the Planning and Compulsory Purchase Act 2004 ("the Act") requires every local planning authority to make an annual report to the Secretary of State containing information on the implementation of the local development scheme (LDS) and the extent to which the policies set out in local development documents are being achieved. The requirements are set out in the Town and Country Planning (Local Development) (England) Regulations 2004 as amended by the 2008 Regulations and in Planning Policy Statement 12. When the National Planning Policy Framework is formally adopted, PPS 12 will be replaced (expected in or around April 2012) but until that point is still good guidance.
45. PPS 12 provides that 'Monitoring is essential for an effective strategy and will provide the basis on which the contingency plans within the strategy would be triggered. The delivery strategy should contain clear targets or measurable outcomes to assist this process.' The Localism Act 2011 will remove the requirement to send the Annual Monitoring report to the Secretary of State with effect from next year and the requirement will merely be for each authority to prepare an Annual Monitoring Report.
46. The Human Rights Act 1998 imposes a duty on the council as a public authority to apply the European Convention on Human Rights and the council must not act in a way which is incompatible with these rights. The most important rights for planning purposes are article 8 the right to respect for home and article 1 of the First Protocol, the right to peaceful enjoyment of property. Article 6 is also engaged in relation to the principles of natural justice. In general, these principles are inherent in domestic law, *Lough v First Secretary of State* [2004] 1 WLR 2557. As this AMR appears to have been prepared in accordance with the statutory process, it is likely that it is in conformity with the Human Rights Act 1998.
47. The purpose of this report is to seek members' comments on the draft AMR. The role of providing comments on development plan documents (DPD) and the making of recommendations to cabinet, as appropriate, is a matter that has specifically been reserved to the planning committee under paragraph 7, part 3F of the Constitution. Although the AMR is not specifically referred to in the constitution, it is considered that the AMR has similar status to a DPD within the LDF. As a result it is considered to be within the constitutional remit of the Planning Committee to comment and make recommendations to Cabinet as appropriate. Following planning committee's comments the AMR will be approved by IDM as part of the council's executive function.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Annual Monitoring Report 6 – 2009/10	Council Offices, 160 Tooley Street, SE1 2QH	Sandra Warren 020 7525 5471

## APPENDICES

No.	Title
Appendix 1	Annual Monitoring Report April 2010 – March 2011

## AUDIT TRAIL

<b>Lead Officer</b>	Tim Cutts, Acting Planning Policy Manager	
<b>Report Author</b>	Rumi Bose, Planning Policy Officer	
<b>Version</b>	Final	
<b>Dated</b>	9 December 2011	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments sought</b>	<b>Comments included</b>
Strategic Director of Communities, Law & Governance	Yes	Yes
Departmental Finance Manager	No	No
Cabinet Member	Yes	No
<b>Date final report sent to Constitutional Team</b>	9 December 2011	