
Report to The London Borough of Southwark

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an Inspector appointed by the Secretary of State for Communities and Local Government

Date: 15th December 2011

PLANNING AND COMPULSORY PURCHASE ACT 2004

SECTION 20

**REPORT ON THE EXAMINATION INTO
SOUTHWARK COUNCIL CANADA WATER AREA ACTION PLAN
DEVELOPMENT PLAN DOCUMENT**

Document submitted for examination on 26 March 2010

Examination hearings held between 2 August and 11th August 2011

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Abbreviations Used in this Report

AA	Appropriate Assessment
CS	Core Strategy
CCS	Southwark Community Strategy
CIL	Community Infrastructure Levy
DPD	Development Plan Document
ELR	Employment Land Review
IC	Inspector Recommended Change
LDS	Local Development Scheme
LP	London Plan 2011
MOL	Metropolitan Open Land
NPF	Draft National Planning Policy Framework
PC	Proposed Change
PPS	Planning Policy Statement
S106	Section 106 of Town and Country Planning Act 1990 (as amended)
SA	Sustainability Appraisal
SCI	Statement of Community Involvement
SINCs	Sites of Importance for Nature Conservation
The Report	Development Impact Report Rotherhithe Multi Modal Study 2010
UDP	Southwark Plan - Unitary Development Plan

Non-Technical Summary

This report concludes that the Canada Water Area Action Plan (AAP) Development Plan Document, subject to a review as far as necessary due to the potential availability of Site CWAAP12 after 2014, provides an appropriate basis for the planning of the Area over the plan period. The Council has sufficient evidence to support the strategy and can show that it has a reasonable chance of being delivered.

A limited number of changes are needed to meet legal and statutory requirements. These can be summarised as follows:

- Clarification and amendment of the defined Core Area and housing density zones;
- Clarification and acknowledgement of the factual position known in relation to AAP Proposal Site CWAAP12;
- Acknowledgement and refinement of open space matters, including those to be addressed as part of the Council's intended Strategy and subsequent LDF documents
- Revisions to ensure the effectiveness of the delivery and monitoring of the AAP objectives; and
- Alterations to ensure a consistency of approach with national guidance, including Planning Policy Statement (PPS) 3¹ and PPS5².

The overwhelming majority of the changes recommended in this report are based on proposals put forward by the Council in response to points raised and suggestions discussed during the public examination. The changes do not alter the thrust of the Council's overall strategy.

¹ Housing

² Planning and the Historic Environment

Introduction

1. This report contains an assessment of the AAP in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004. It considers whether the AAP is compliant in legal terms and whether it is sound. Planning Policy Statement (PPS) 12 (paragraphs 4.51-4.52) makes clear that to be sound, a DPD should be justified, effective and consistent with national policy. As stated at the start of the Examination, this report does not deal with every representation made to the AAP.
2. The starting point for the examination is the assumption that the local authority has submitted what it considers to be a sound plan. The basis for my examination is the submitted Canada Water Action Area Plan (January 2010) which was accompanied by a Table of Proposed Changes. Since submission, the AAP has been subject to further proposed changes which are shown in the Council's Table of Pre-Examination Changes (Ref CDCW20) which have been subject to consultation, SA and an equalities impact assessment. The cumulative content of these documents represents the Council's intentions for the Canada Water area and therefore these shall represent the effective starting point for my report.
3. A Consolidated Table of Changes (CDCW26) which includes matters arising from Statements of Common Ground has subsumed CDCW20. In producing this report regard has been had to these documents in conjunction with a further table of changes arising from the examination hearings (ref CDCW 27). This report deals with all the proposed changes that are needed to make the DPD sound and they are identified in bold (**PC**) and refer to the numbered changes of the Council (eg **TOC1, EIP2** etc). All but two of these changes have been proposed by the Council and are presented in Appendix A. Other recommended changes are set out in Appendix C, identified in bold in the report (**IC**).
4. Some of the changes put forward by the Council are factual updates, corrections of minor errors or other minor amendments in the interests of clarity. As these changes do not relate to soundness they are generally not referred to in this report although I endorse the Council's view that they improve the plan. These are those changes shown within CDCW26 and CDCW27 (Appendix B) and not referenced in Appendix A. There is no reason for the Council not to make any additional minor changes to page, figure, paragraph numbering and to correct any spelling errors prior to adoption.
5. Where changes are proposed that go to soundness (for example in relation to dwelling room sizes) they have been subject to public consultation, in addition to necessary SA, and the consultation responses have been taken into account in completing this report.
6. References in my report to documentary sources are provided in footnotes, quoting the reference number in the examination library where necessary. Regard has been had to the core documents (CD) provided.

Assessment of Soundness

Preamble

7. Since the preparation and submission of the AAP, the Mayor of London has adopted the new London Plan 2011 (LP). The Mayor has indicated that the AAP is in general conformity with this latter document. Submissions were made to the contrary upon a number of specific policy areas and these are dealt with below as necessary. Ultimately, I agree with the Mayor. Consequently, in this respect, the AAP is sound.
8. The AAP was submitted in 2010 alongside its Core Strategy (CS). Due to the passage of time some circumstances have changed, including the content of the adopted CS, some elements of national planning policy and, unexpectedly, the factors relating to Harmsworth Quays, AAP site CWAAP12. The implications of these are dealt with as necessary below.

Main Matters and Issues

9. In addition to the above and taking account of all the representations, written evidence and the discussions that took place at the examination hearings, there are seven main matters upon which the soundness of the plan depends.

Matter 1 – Does the AAP provide an adequate and justified vision for the Canada Water area which will lead to an effective plan containing clear and deliverable objectives through to 2026?

10. The AAP has been prepared in a manner which has followed adequately the Council's Local Development Scheme³ (LDS). Whilst lessons may be learnt from the potential for consultation confusion in developing the AAP in parallel with the CS, the production of the former has met the terms of the Statement of Community Involvement⁴ (SCI). There is limited and ultimately unpersuasive evidence to suggest that the thrust of the SCI has not been followed adequately in the production of the AAP, albeit that I recognise that there is invariably more that could be done in the pursuit of more effective and comprehensive consultation upon any LDF document, especially with those communities likely to be affected directly by its content.
11. It is clear, particularly with regard to Parts 1 and 3, that the AAP is informed by and aligned with the Council's Community Strategy⁵ (CCS). As a consequence there is a consistency between the two documents and the Council's adopted CS. Regard has been had to the comprehensive body of evidence prepared in support of both the latter and the AAP.
12. The AAP has been informed by an iterative process of SA⁶ that has assessed the vision, objectives and policies of the AAP. This process has been consistently

³ CDL22

⁴ CDL4

⁵ CDL2 Southwark 2016:Sustainable Community Strategy (2006)

⁶ CDCW1, 10, 11, 22

undertaken from initial issues and options through to the submitted AAP and subsequently has included the pre-examination changes proposed. Whilst concerns have been raised that the process was limited in its scope and thoroughness, there is no persuasive evidence to conclude that the work of SA that has informed the AAP is inadequate or fundamentally flawed.

13. Similarly, concerns have been voiced that the Equalities Assessments⁷ that have been undertaken by the Council, essentially through the work of its Borough wide panel, fail to acknowledge the local interests of the diverse residents of the AAP area. In this instance, no substantive reason has been put forward as to why a competent equalities assessment cannot be carried out by individuals who may not specifically live within or are associated with the AAP area. As a consequence and with due regard to the general duty contained within the Equality Act 2010, the submitted Equalities Assessment evidence is adequate.

Vision

14. Whilst rather long, the AAP sets out a clear vision for the locality that demonstrates the Council's intentions for the area. This recognises existing issues and constraints, for example the connectivity of existing town centre facilities, in conjunction with the desire to make best use of the range of opportunities which exist, such as the Canada Water basin. Sufficient reference is provided to the amount of intended development.
15. The vision is linked logically to the subsequent range of themes and objectives which are intended to provide clarity on how the vision will be realised and which provide a framework for monitoring outcomes. The objectives are in turn linked to the Policies of the AAP which provide further detail, as supported by the text within Part 4, as to what is intended to occur, where and, as necessary, when. The overall approach, which has evidently progressed through its evolution from the issues and options stage, is understandable, based on a broad range of evidence and has logic.

Geographic Area

16. The AAP covers a wide area which is known, at least in part, as the Rotherhithe peninsula. It is focussed upon the existing town centre of Canada Water which encompasses the traditional street of Lower Road and the retail development near to Canada Water basin. The western boundary abuts the significant townscape feature of Southwark Park. There are no compelling reasons to dispute the Council's AAP boundary which geographically encompasses those areas that would appear to have a direct spatial relationship to the town centre.
17. The town centre boundary as shown in the AAP, based upon the available evidence and my inspection of the locality, appears sound; including as it does the established commercial premises along Lower Road and extending to include the leisure and retail activities between Redriff Road and Canada Water station.

⁷ CDCW4, 21

18. The AAP identifies a Core Area, greater in size than the town centre, which will be the focus for new development. The Council has indicated that the Core Area is based upon an assessment of those areas that have the potential to accommodate change and an assessment of the existing character and density of development, linked to public transport accessibility. Such an approach, in the context of the AAP, is logical but inevitably places an onus upon the Council to ensure that its evidence in such regards is robust. The Council's suggested change to the text of the AAP which clarifies this approach in the interests of effectiveness is endorsed (**PC: EIP2**).
19. With regard to the Core Area itself, those centrally located areas, for example around the Canada Water basin and bounded by Surrey Quays Road in part, are specifically targeted for change. Their inclusion within the Core Area is clearly warranted. Furthermore, the northern element of the Core Area, between Canada Water station and Rotherhithe station, includes a number of locations where development is proposed and/or where regeneration is sought, for example Albion Street. The area displays urban characteristics as defined with regard to the LP and its inclusion within the Core Area is justified.
20. The Core Area western boundary runs along Lower Road, close to Southwark Park and includes the Seven Islands Leisure Centre. There is no persuasive evidence to suggest that this boundary is misplaced. In addition to the station and commercial premises on Lower Road to the south, the Core Area incorporates areas to the west of the railway line including the Hawkstone Estate. The evidence submitted indicates that the Council has considered the scope for investment into the housing stock in this location in addition to the creation of new school facilities; whilst less clear cut, the rationale for the inclusion of this predominantly urban residential area within the Core Area is, on balance, warranted.
21. Redriff Road establishes a logical south-eastern boundary for the Core Area, separating predominantly commercial activities and dwellings. Yet the submitted AAP shows the eastern boundary defined by Quebec Way, excluding the industrial premises occupying CWAAP Proposal Sites 10 and 11 and the overflow car park site adjacent to 24-28 Quebec Way. These premises are sensitively located close to Russia Dock Woodland which, there is no dispute, must have a material effect upon the capacity of change in this location. Nevertheless, the AAP recognises, via its Schedule of Proposal Sites that there is some scope for change in these areas. The sites are relatively close to the town centre and with Public Transport Accessibility Levels of 3/4; indeed the Greater London Authority identifies that CWAAP Site 11 is located in an urban context.
22. With full regard to the available evidence, which includes an understanding of the Council's rationale for its identified boundaries, the defined Core Area is not justified in this particular location. Such a flaw can be resolved reasonably by the inclusion of proposal sites CWAAP10 and 11 within the Core Area plus the overflow car park site adjacent to 24-28 Quebec Way. I recommend accordingly (**IC 1**). The AAP, as part of the extant development plan, makes clear that development proposals must have regard to the context of individual sites and thus there is no persuasive basis for considering that acceptable development should be uniform across the Core Area; as a consequence, the change which is recommended to the AAP does not mean that the overall scale and density of development which may occur within CWAAP Proposal Sites 10 and 11 should fail to reflect the sensitive and peripheral nature of their location.

23. With regard to housing density alone, areas outside of the Core Area are identified as being part of a suburban character zone. With due regard to the evidence submitted in relation to Matter 6 below, this is not wholly convincing.
24. AAP Policy 24 refers to the density of developments. The entire AAP area is identified as a suburban density zone with the exception of the Core Area which contains urban characteristics. I am very mindful of the evidence base which was submitted in relation to the CS and which was unpersuasive in relation to the Canada Water area.
25. There is no dispute that the designated Core Area is, with due regard to the content of the LP, more urban in character. The Council's clarification in relation to the Core Area, wherein there lies the potential for higher densities of development, is endorsed (**PC: EIP 43**). Indeed, there would appear to be a general acceptance from those participating in the Examination that the areas including Southwark Park, around Greenland Dock, abutting the Thames and centrally placed around Russia Dock Woodland are suburban in character. It is those areas abutting the Core Area to the north-east which are disputed fundamentally.
26. Set against the criteria of the LP and based upon the available submissions in conjunction with my own inspections of the area, I am not persuaded that Quebec Way is a defining boundary between the Core Area and the suburban density zone. In terms of characterisation, sites CWAAP 10 and 11 in particular, have no residential element and, in terms of building scale and location, relate more evidently to the land uses to the west of Quebec Way.
27. The Council has made an assessment of building scale, urban grain and land use within its evidence relating to density across the Canada Water area. However and with this in mind, no satisfactory explanation has been provided as to why CWAAP Sites 10 and 11 are assessed in the context of the Russia Dock Woodland character zone which, elsewhere, is indeed of predominantly differing character to the Core Area. There is no very marked difference in scale, grain and land use between the AAP Core Area and these particular sites and they have an evident closer relationship in siting, built form and use to the Core Area than to the Metropolitan Open Land (MOL) and housing which lies to the north and east.
28. I have recommended a change to extend the Core Area to include these two sites and there is no persuasive evidence to suggest that either location is particularly suburban in character such that my recommended change is not justified. It must be reiterated that such a change does not equate to an unwarranted high density of redevelopment given their more peripheral location and close proximity to the important MOL of Russia Dock Woodland.
29. Elsewhere and whilst I recognise that the area affected is relatively small, there is evidence that the housing developments adjacent to Swan Road and including Needleman St, Garter Way and Wolfe Close are flatted, of relatively high density and with Public Transport Accessibility Level scores above 3. Indeed, recent development at Woodland Crescent and Water Gardens Square is of a significant scale and lacks clear suburban characteristics. In turn they link through to Salter Alfred Primary School. These areas have not been specifically assessed by the Council in its characterisation work undertaken within CDAI73.

30. The evidence submitted by the Council in relation to density is not sufficiently robust. Nonetheless, in conjunction with that cumulatively submitted by all parties to both the CS and the AAP Examinations and in the interests of consistency and robustness, the identification of an urban density zone to include the developments listed in the above would be justified and in accord with the content of the LP⁸. Due to the absence of any material capacity for further change, this area would be outside of the Core Area. Such an alteration is recommended accordingly (**IC 2**).

Harmsworth Quays

31. Unexpectedly, circumstances affecting site CWAAP12 have altered since the AAP was submitted. This has a potential bearing upon the content of the document.
32. Subject to the receipt of planning permission, the current operations at Harmsworth Quays print works are intended to relocate out of the area, possibly by 2014/2015. The site is within the central Core Area, is comparatively large and is consequently significant in the context of the AAP. There is considerable uncertainty, linked in part to existing lease arrangements, as to the future of the site at present.
33. Whilst a new occupant for the site could be found to continue related commercial activities, it is also possible that redevelopment of the site or part of the site could occur. As stated by the Council and discussed in part at the Hearings, the fundamental vision and objectives of the plan are unlikely to be altered by the intended vacation of the site by the current occupants. Nevertheless, it remains possible that the overall amount of business space to be provided could be influenced by any redevelopment within the site area which would feasibly exceed those currently shown within the AAP. Redevelopment may also impinge upon other uses including housing and possibly the retail provision within, and the physical layout of, the town centre. Redevelopment of the site, certainly if it involved new uses, would be likely, given the sites overall scale, to have effects upon its built form, transport and other key infrastructure.
34. The Council accepts that the unforeseen availability of the site has implications for the submitted AAP. It intends to review elements of the AAP via a consultation process during 2012 leading to the submission of amendments to the AAP in the autumn of 2013 with a view to adoption, following examination, in summer 2014. This would appear necessary, unavoidable and a suitable opportunity to engage meaningfully with all stakeholders, including residents of the area, the leaseholder and other interested parties, to ensure a reasoned and deliverable set of outcomes for the site.
35. The purpose of the AAP is to guide development within the locality to meet the stated vision and strategic intentions of the both the Core Strategy (CS) and the LP. The AAP would fail in its purpose were it not to address in an adequate and timely fashion the potential of redevelopment of a significant central site. Nonetheless, considerable time and resource has been expended to enable the

⁸ See CDCW28 produced to clarify the proposed change.

AAP to reach its current position and it is a truism to state that the world will not stand still to await plans to be made.

36. Any delay of the current AAP Examination to enable the Council to formulate and consult upon options for Site CWAAP12 prior to revised submission would likely run into 2014. Such a time period could impact materially upon the delivery of the Council's vision as laid out in the CS and impinge upon the effective planning of development within Canada Water. Whilst still a draft document, the National Planning Policy Framework (NPF) indicates the importance of the plan-led system, wherein positive long term visions for an area are enabled. This is achieved by the AAP. The NPF identifies the need to keep plans up to date and this would be secured by the early review proposed by the Council.
37. To be effective, planning must be flexible and responsive to change. The Council suggest a number of changes acknowledging the need for review which are endorsed for reasons of clarity and effectiveness (**PC: EIP 0, 29, 44, 55, 79**). It is upon this basis that the soundness of the AAP, in relation to other extant LDF documents and the LDS, falls to be considered. There is no compelling evidence to indicate that the AAP is consequently not sound.

Other Matters

38. The Council has clarified that a number of Figures within the AAP which contain illustrative material are not intended to provide a prescriptive guide to future development and, for reasons of flexibility and effectiveness, the proposed changes of the Council are endorsed accordingly (**PC: EIP 18 and 27**).
39. The proposals map would be altered in the event that the AAP was adopted and there is no reason to conclude that the changes necessary would fail to be sufficiently clear and comprehensive. The AAP contains adequate and clear references to the saved policies of the Southwark Plan (UDP).

Summary

40. The submitted AAP provides an adequate and justified vision for the area, has clear and deliverable objectives and, especially and most crucially in relation to the first five year phase of the plan, is based on an adequate evidence base. There are no persuasive reasons to find that the document, when considered as a whole and in relation to other extant LDF documents including the LDS and the intended partial review, will not be effective in delivering its clear objectives over the plan period.

Matter 2 – Shopping, Jobs and Business: Is the approach of the AAP to shopping, jobs and business justified by the evidence base and deliverable?

41. In support of the AAP approach to shopping, jobs and business which is expressed by AAP Policies 1 to 5, the Council has produced a reasonably extensive evidence base⁹ that was also used to inform its adopted CS. This

⁹ CDCWB2 Retail Background Paper; CDB5 Core Strategy Retail Background Paper; CDE5 Retail Study et al.

evidence acknowledges cumulatively the advice of Planning Policy Statement 4 'Planning for Sustainable Economic Growth' (PPS4). Matters of viability are not ignored¹⁰. No persuasive contrary evidence has been provided to fundamentally undermine the justification of the Council's strategy.

Retail

42. With regard to retail matters, the AAP clarifies the intended role of Canada Water within the town centre hierarchy as established by the LP and the CS. The evidence supports the amount of additional floor space proposed (35,000m²) which will endeavour to stem and claw back the leakage of comparison goods expenditure outside of the borough and area whilst increasing market share. Similarly the evidence, which appears sufficiently up to date and robust, supports the capacity for new convenience goods floor space within the town centre.
43. In the interests of retail diversity and in line with the content of PPS4, the requirements of Policy 1 are not inflexible and are justified sufficiently in seeking to ensure that a proportion of new shop units are made available as independent units.
44. The importance of other shopping locations, such as found at Lower Road or Albion Street, is recognised suitably by AAP Policy 3. The aim to avoid a proliferation of hot food takeaways is, in the interests of shopping frontage vitality, justified by the evidence base.
45. The Council addresses the importance of markets adequately within the AAP.

Jobs and Business

46. AAP Policy 25 identifies the intention to promote a business cluster within the Core Area. Such an approach is warranted by the Council's Employment Land Review¹¹ (ELR) which, amongst other matters, forecasts a need for new office space throughout the borough; this accords with the thrust of the Council's Economic Development Strategy and the LP which contains an indicative employment capacity of 2,000 new jobs to 2031.
47. In the absence of compelling evidence to the contrary, the ELR represents a robust evidence source that justifies the level of proposed business floor space over the life of the plan; it acknowledges suitably the local office space market. The objectives and detail of the AAP in relation to jobs and business is therefore warranted by the available evidence and is sound.
48. Set against this context, the principles embodied in the proposals for site CWAAP7 would appear predicated on sound evidence with, notwithstanding concerns relating to stipulated building heights discussed under Matter 4, the potential to be delivered reasonably. In the interests of effectiveness, the

¹⁰ CDD5 The Benoy Town Centre Feasibility Study; CDD47 CBRE Town Centre Feasibility Study

¹¹ CDE1

Council's suggested change to the delivery of business space in relation to Site CWAAP7 is endorsed (**PC: EIP47**).

49. The development of options for Site CWAAP12 may have implications for the extant evidence base relating to jobs and business. The intended review of the AAP in this regard will provide a suitable opportunity to ensure that a suitably holistic and comprehensive plan led approach to the Core Area is provided. The Council's proposed additional paragraph (PC: EIP44) will assist in clarifying the means by which alterations to the plan may be made. There is no compelling reason to consider that the submitted AAP is deficient in the interim.
50. The Council has had regard to the government's 'Plan for Growth' (2011) and the ministerial statement 'Planning for Growth'¹². Comments upon the relationship of the AAP to these publications have been sought from the community and interest groups through a consultative process. Regard has been had to all responses submitted and there is no persuasive evidence to suggest that the AAP, particularly through elements of its vision, objectives and themes, runs counter to the government's ambition to prioritise growth and job creation within an overall context of sustainable development.
51. Based upon the available evidence, the approach of the AAP to shopping, jobs and business is justified by the evidence base and is deliverable.

Matter 3 – Transport: Is there adequate evidence that the transport implications of the AAP have been considered suitably and that the necessary transport infrastructure will be in place to support the development intended over the plan period?

52. The AAP identifies significant levels of development for the area over the plan period. Inevitably such development will have implications for the transport infrastructure of the locality.
53. The Council's Development Impact Report¹³ (the Report) endeavours to identify both short and long term transport impacts within the AAP area with due regard to developments in the local and adjacent area. This report acknowledges and draws upon a previous multi modal study undertaken in 2006 and covers peak travel times and Saturdays. Transport for London and other Boroughs were consulted with regard to specific development and infrastructure improvements. Overall, this evidence is professionally robust and effectively supplements further information to be found within evidence sources such as Southwark's Transport Plan.
54. The Report makes a number of key conclusions and recommendations that inform the AAP, for example in relation to the need for Transport Assessments to accompany development proposals within the AAP area and improvements to Lower Road. Based upon other submissions and my own inspections, Lower Road and the A200 carry significant levels of traffic, including that which merely

¹² Minister of State for Decentralisation, 23 March 2011

¹³ CDI16 Development Impact Report Rotherhithe Multi Modal Study 2010

passes through the area, and experience frequent congestion. This is acknowledged within the Report.

55. The AAP makes clear, via AAP Policy 8 and Appendix 6, that a number of specific transport improvements are required throughout the area. Indeed, there is a reasonable degree of clarity as to what projects are proposed, when and by whom projects will be undertaken and how such projects will be funded. There are many variables and factors which can influence the successful completion of significant transport schemes, yet there is no strong reason to consider that the objectives of the AAP in this regard are anything other than justified and capable of effective implementation. By so doing, the transport implications of the AAP are acknowledged adequately.
56. The AAP provides an indication of funding sources for some road projects including sums to be obtained from the use of planning obligations. However, it is clear that the figures provided are indicative only and that, in addition to the use of the intended Community Infrastructure Levy (CIL), the AAP does not adopt a prescriptive approach to such matters. There is adequate flexibility in the AAP to ensure that it can be effective in securing infrastructure provision.
57. The AAP, specifically through Policies 6 and 7, identifies that improvements will be made to walking and cycling routes in addition to improvements to public transport. The Council's approach to alternative forms of transport is further clarified within its Sustainable Transport SPD¹⁴. Whilst Figure 7 of the AAP is indicative with regard to such improvements, there is sufficient clarity on the intentions of the AAP to enable the delivery of necessary works in conjunction with development proposals. Such details include the objectives of securing improved east-west routes and the aspiration to obtain a better route between Canada Quays Station and Albion Street to the north.
58. The use of the river for transport is referenced adequately and flexibly within AAP Policy 7 notwithstanding the limited evidence that supports a need for any increased service provision. Overall, the AAP is sound in such regards.
59. For reasons of efficiency, the AAP identifies that car parking for retail and leisure developments within the town centre should be available for the general public as town centre car parking. The Council has suggested changes to the supporting text of AAP Policy 9 which would ensure a consistency of approach between the AAP and the LP whilst providing flexibility, linked to viability, for the assessment of town centre car parking in relation to proposals. These changes are endorsed in the interests of clarity and effectiveness (**PC EIP 21 and 22**).
60. Submissions to the Examination have sought a more prescriptive approach to car parking which would stipulate the number of car parking spaces to be provided for the town centre. However, such an approach would not provide due flexibility for the assessment of necessary parking in light of development proposals which have yet to come forward. Such schemes would need to be assessed within their particular context, which may or may not include an

¹⁴ CDSPD3

extension of the current Controlled Parking Zones on nearby streets. I am not persuaded that a prescriptive approach would necessarily be effective for the plan period and see no reason why a negotiated approach, as indicated by the Council, should not provide a suitable outcome for the parking needs of the town centre. Such an approach would enable due regard to be had to a range of factors which would include car parking management techniques and the relative availability of alternative transport modes.

61. AAP Policy 10 indicates maximum parking standards within the Core Area and is an approach that accords with the thrust of, amongst other publications, Planning Policy Guidance Note 13 'Transport', the CS and the LP. The AAP makes clear that this approach is linked to the relatively good accessibility of the Core Area to public transport and will, in time, be supplemented by the detailed parking guidance of the intended Development Management DPD. The submitted approach is sound.
62. There is no substantive evidence from the operators of emergency vehicles to suggest that the limitations of the transport infrastructure are such that the approach of the AAP is unsound. Indeed, the AAP recognises current problems with the road network which it aims to address. Based upon the available evidence, the AAP is not fundamentally flawed in its approach to emergency vehicles using the transport system of the area.
63. Similarly the approach of the AAP seeks to improve the road system and flows of all traffic, including freight, into, across and out of the AAP area to the benefit of all. Whilst there are undoubtedly transport issues to resolve, there is no compelling evidence which suggests that a 'bypass' is required or indeed could be secured reasonably over the lifetime of the plan. Transport emissions affecting the environment, such as air quality, are a material consideration of note in parts of Canada Water; nonetheless and in association with other aspects of the extant development plan, there is limited evidence to suggest that they would not be capable of being assessed effectively as part of individual development proposals.
64. Overall there is adequate evidence to demonstrate that the transport implications of the AAP have been considered suitably and that the necessary transport infrastructure will be in place to support the development intended over the plan period.

Matter 4 – Places and Leisure: Are the AAP intentions with regard to the built environment and open space based upon a sufficiently robust evidence base, effective and deliverable?

Built Environment

65. The AAP indicates significant redevelopment of the town centre. AAP Policies 14, 15, and 16 take a positive approach to the design of streets, spaces and building blocks that seeks to maximise opportunities to mix uses and reconfigure key elements of the town centre. Such an approach is supported adequately by the

thorough preparatory evidence compiled by the Council¹⁵.

66. To support the AAP vision, the Council identifies the retention and provision of additional leisure and entertainment facilities in the town centre. This is consistent. Whilst modern design solutions may affect the layout and appearance of leisure and entertainment space in a manner different to that which exists, there is no substantive evidence to find that AAP Policy 11, which requires no diminution of such floor space, is either inflexible or unsound.
67. The Council's evidence, including its Tall Building Background Paper¹⁶, informs AAP Policy 17 which addresses building heights within and adjacent to the Core Area. A range of prevailing building heights around the Canada Water Basin are stipulated which reflect, in general terms, the existing and permitted developments of the locality and which are supported by the urban design analysis of the Council. The AAP indicates two sites for tall buildings potentially in excess of 30m for the reasons summarised in AAP paragraph 4.5.16 and this approach is most persuasive. Subject to the Council's suggested change (**PC: TOC13**) which is endorsed, the LP Viewing Corridors are acknowledged and protected. In broad terms, the Council's approach to building heights and urban design is both considered and justified.
68. Submissions have been made to the Examination, including that from the representatives of part of site CWAAP7¹⁷, which raise concerns at the veracity of the Council's approach to building heights, particularly in terms of whether the AAP would, with due regard to the viability of redevelopment on sites such as intended by CWAAP7, be deliverable over the plan period.
69. The Council identifies that, in addition to other evidence, its Benoy Study¹⁸ and CBRE financial appraisal¹⁹ are sufficiently indicative of the general viability of the AAP approach to development within the Core Area. I am mindful that the combined viability evidence of the Council is designed to explore the feasibility of development within Canada Water although it does not seek to cover all development and design options nor does it seek to exhaust the range of different assumptions which can be made in relation to phasing or economic factors such as the availability of housing grant. Such an approach represents a proportionate and robust evidence base.
70. Invariably the delivery of new development, and that which involves effective redevelopment, can face a number of challenges which are linked to the individual characteristics of sites. The Site C extant permission toolkit viability information submitted would certainly appear to indicate that the development which has been permitted by the Council is not currently likely to be implemented.
71. Nevertheless, the AAP is intended to operate over a 15 year period during which

¹⁵ CDCWB6, CDCWB21 et al

¹⁶ CDB11

¹⁷ CDAI41 et al

¹⁸ CDD5

¹⁹ CDD47

time many variables, including land values, can change. Whilst matters such as the availability of housing grant, the terms of tenancy agreements, necessary development mitigation and the density of development can affect the viability of development proposals, all such matters are capable of being presented reasonably as part of specific planning applications. The AAP, via Policy 17 and CWAAP7, provides a considered and evidenced urban design approach to development in and adjacent to the Core Area and there is insufficient contrary evidence to convince me that the AAP is flawed in this regard.

72. Policy 17 indicates the height range that buildings should satisfy. However, and as evidenced by the 10 storey element of the extant permission, this does not preclude the emergence of alternative proposals which may, on an individual basis, be justified relative to site circumstances. Such circumstances may include matters such as the urban design context and development viability.
73. The approach of Policy 17 and CWAAP7 is therefore founded on an adequate and robust evidence base wherein flexibility to achieve effective implementation is not precluded.
74. As a related albeit separate matter, the Council's proposed changes to the AAP will ensure consistency with the advice of PPS5 whilst the heritage assets of the locality, in conjunction with the CS, will be acknowledged suitably. The Council's suggested changes are endorsed (**PC: SCG 4, 5, 6; EIP26**) accordingly.
75. The AAP intentions with regard to the built environment are based upon a sufficiently robust evidence base, are effective and there is no substantive reason to conclude they would not be deliverable over the plan period.

Open Space

76. As an addition to CS Policy 11, which takes a strategic approach to open spaces and wildlife within the Borough, AAP Policy 18 provides a more detailed approach to such matters within the locality.
77. The AAP sets out an intention to protect, maintain and improve the open spaces, green corridors and wildlife habitats of the area which accords suitably with the thrust of the CS and the LP. MOL, Borough Open Land and Other Open Spaces are protected whilst the AAP identifies three new Sites of Importance for Nature Conservation (SINCS) that are supported by bespoke analysis and site specific evidence. For reasons of clarity and effectiveness the Council's suggested changes are endorsed in this regard (**PC: FC1 and FC2**) and such SINCS are duly justified. I also endorse the Council's suggested change which clarifies the intention to achieve high quality green infrastructure alongside the highest possible environmental standards (**PC: EIP7, 20**).
78. The AAP follows the strategic direction provided by the CS in its references to the support for green corridors and green chains and there is no conflict with the aims of the LP upon these matters. Indeed, the AAP carries a clear commitment to the improvement and 'greening' of the public realm, especially in the Core Area.
79. AAP Policy 12 supports the improvement of sports facilities within the area with particular reference to the Council's commitment to refurbish the Seven Islands Leisure Centre. There is no evidence to suggest that the Council's approach is

not sound in such regards. Furthermore, there is also no convincing evidence to indicate that the active leisure needs of people, including the young, will not be addressed during the next 15 years.

80. In relation to Open Space the Council relies on various pieces of evidence, particularly its Open Space Study²⁰ and Sub Area Report²¹ relevant to Canada Water. The latter pre-empts the yet to be published Borough wide strategy. The provisions of PPG17 and its Companion Guide²² are most relevant.
81. It is clear that the Council, in line with the provisions of the LP, is continuing to develop its strategy for the Borough. This will lead, in time, to the creation of suitable standards for the area (and borough). Other than a minimum public park provision of 1.22ha/000 population which will require further consideration as part of the Council's overall strategy, neither AAP Policy 18 'Open spaces and biodiversity' nor AAP Policy 19 'Children's play space' seek to set standards of provision. Both seek to take a positive approach to the provision of open space and play facilities. In such a context and mindful of the continuing work being undertaken, the evidence available supports both policies in a proportionate manner. In the interests of clarity and effectiveness the changes of the Council in this regard are endorsed (**PC: PEC5, PEC7**).
82. The evidence has been prepared in accord with the overall thrust of PPG17 and its guide and with this in mind I note that the intended Borough wide strategy will be subject to public consultation at a later date. At this stage, it is clear that some open space provision, for example allotments and amenity green space, will require further consideration and analysis as to how standards will be set and provision made.
83. Whilst the available evidence supports adequately the approach of the AAP Policies, it is important to consider how the intentions will be realised. As indicated by the Council and in terms consistent with CS Policy 11, this could be via the intended Sites Allocation DPD or the S106/Community Infrastructure Levy DPD. In any event, the AAP should reflect the evident shortfall in allotment provision and the importance of amenity green space; the Council has suggested a change to the text of the AAP to ensure that these particular matters are acknowledged suitably and identified for action which is endorsed for reasons of effectiveness (**EIP31A**).
84. The AAP intentions with regard to open space are positive, cogent and, on balance, based upon a sufficiently robust evidence base which, subject to the creation of a considered open space strategy that addresses the hierarchy of open spaces effectively, will be deliverable.
85. With regard to a separate matter, AAP Policy 20 'Energy' establishes a district heating system approach to serve new and existing development within the vicinity of the Core Area. Mindful of the available evidence, particularly the

²⁰ CDEN3

²¹ CDEN26

²² CDN12 and 13 – Planning for Open Space, Sport and Recreation.

Council's Energy Study and that which relates to viability, this approach appears justified and sound.

Summary

86. The AAP intentions with regard to the built environment and open space are, on balance, based upon a sufficiently robust evidence base. Where considered in the context of the LDF as a whole, there is no persuasive evidence to indicate that the AAP will not be deliverable and effective in such regards.

Matter 5 – Community and Education: Is the evidence underpinning the details within the AAP relating to community and educational issues robust? Will the AAP be effective in achieving its objectives in these regards?

87. AAP Policies 26 to 29 relate to a range of educational and community matters. With regard to school and pre-school places, the approach of the AAP has been formulated with reliance upon a range of evidence sources which includes its Infrastructure Background Paper²³. Such evidence provides an analysis of pupil places with projections into the plan period of the AAP. There is no persuasive contrary evidence which suggests that the Council's approach is not adequately robust albeit the Council's intention to keep the capacity of places within the area under review is noted.
88. Precise projections for the need for early year facilities are challenging. The Council has made a range of reasonable assumptions with which there are no reasons to disagree. AAP Policy 28 is consequently justified and, allowing for the intended process of review, effective.
89. Similarly, it is clear that the Council has identified a need for additional primary school places which will be addressed through AAP Policy 26 which is supported adequately by the available evidence. This policy also identifies an intention to provide a new secondary school within the area to meet a projected need for additional Year 7 places. Submissions to the Examination indicate that this issue remains somewhat fluid in terms of projections, funding, and the effect of initiatives which include 'Free Schools' and the development of a University Technical College.
90. The Council's preferred new school site is at Rotherhithe Primary School although detailed submissions have been made which question the veracity of the site selection process for such provision. Nevertheless, with due regard to all matters raised which includes the criteria led site evaluation process (indicated by the Council within Appendix 3 of CDCWB4), I have no fundamental reason to find the Council's approach unjustified or that alternative sites such as CWAAP10 are preferable and should be identified as such.
91. It is apparent from the Council's updates that the funding of any new school is subject to considerations of need and value for money. Indeed, it is clear from the Examination hearings that discussions continue as to the optimal site for any

²³ CDCWB4 (updated by CDCWB19)

new school places. AAP Policy 26 does not preclude the provision of additional pupil places or any new school outside of the Council's preferred site and thus, whilst a clear lead is provided by the policy and site allocation CWAAP17, there remains sufficient flexibility to ensure that the AAP can be effective in meeting the need for secondary school places within the area.

92. Subject to the suggested changes of the Council which are endorsed for reasons of effectiveness, the health needs of the area will be addressed suitably by AAP Policy 29 (**PC: SCG1, 2, 7, EIP 48**).
93. Similarly, other community facilities are addressed sufficiently by AAP Policy 27 including facilities for the police. Concerns have been raised by residents in relation to crime, policing and other emergency services but there is no substantive empirical evidence to demonstrate that the content of the AAP is flawed. As a predominantly separate matter, the provision of new community spaces on specific sites form part of the Council's policy approach and, overall, such an approach appears sound.
94. Overall, the evidence underpinning the details within the AAP relating to community and educational issues is sufficiently robust. The AAP can be effective in achieving its objectives in these regards.

Matter 6 – Housing: Is the approach of the AAP towards housing provision justified by a robust evidence base and in conformity with the London Plan?

95. The CS contains a number of housing policies that set out a clear approach towards housing within the Borough. These were established with reference to a comprehensive evidence base which also informs the AAP²⁴. The AAP approach to housing is further informed by additional evidence²⁵ which includes material on dwelling sizes that has been subject to public consultation.
96. The AAP specifies a minimum number of new homes that will be focussed upon the Core Area. This is consistent with the vision of the AAP, the CS and the LP. The Mayor of London considers the AAP to be in general conformity with the LP with regard to housing matters and, in short, I agree.
97. The evidence indicates a clear need for affordable housing and family housing which is addressed by the balanced approach towards housing provision indicated by the CS and the AAP. AAP Policy 23 indicates that in schemes of 10 or more homes at least 35% should be affordable of which 70% should be social rented and 30% intermediate housing. The available viability evidence supports this approach and is sufficiently robust to support the objectives of the AAP; the consideration of specific viability evidence in relation to individual development proposals is not precluded. The Council's proposed changes which will ensure consistency between the AAP and the advice of PPS3²⁶ are consequently endorsed (**PC: EIP39**).

²⁴ CDB2, 3, 4; CDH4, 7, 16 et al

²⁵ CDCWB 3, 13, 18 et al

²⁶ Planning Policy Statement 3 'Housing'

98. The Council has suggested a change to AAP Policy 22 which reflects its stance in relation to the Hawkstone Estate. Whilst this represents clarity of a factual position, it does not specifically fix the Council's programme to improve the housing in this locality. There remains flexibility within the AAP to secure the necessary improvements by alternative means where warranted which allows any options appraisal to be meaningfully undertaken and which, amongst other matters, should ensure issues such as suitable play space are addressed in line with the intentions of the development plan. This change does not represent a significant alteration to the CS.
99. AAP Policy 23 provides detail as to the breakdown of housing unit sizes in schemes of 10 or more units which seeks to address the identified need for family housing. This is consistent with the thrust of the CS, particularly Policy 7.
100. The Council suggests changes affecting AAP Policy 23 which are endorsed for reasons of clarity, effectiveness and consistency with the LP (**PC: PEC10, FC4, FC5, FC6**). The minimum dwelling sizes included within Table 1 provide sufficient flexibility to accommodate varying levels of designed occupancy; simultaneously, clarity is provided to assist in securing housing of adequate size and good design. The available evidence in relation to the broad viability of such an approach²⁷ appears adequate and is not substantively disputed.
101. The requirements of the AAP are clear in their intention, justified by the available evidence and, whilst detailed, are not inflexible so as to be ineffective in delivering the required housing across the AAP area and plan period. The Council has suggested a revised Housing Trajectory which, for reasons of effectiveness, is endorsed (**PC: TOC38 and EIP 91**). Issues relating to the provision of housing for gypsies and travellers are covered by the CS and there is no evidence to suggest sites are required within the AAP area.
102. Overall and subject to my recommended changes in relation to density zones, the approach of the AAP towards housing provision is justified by the evidence base and in conformity with the LP.

Matter 7 – Implementation, Monitoring and Other Matters: With due regard to the provision of necessary infrastructure, is the AAP deliverable and capable of effective monitoring? Are matters of risk and contingency planning evidenced adequately?

103. The AAP, within Appendix 5, contains a clear monitoring framework which links the plan's objectives to its policies and subsequently provides targets and indicators against which progress can be monitored effectively. This approach, which will supplement the effective monitoring of the CS, is sound.
104. Appendix 6 of the AAP identifies a schedule of infrastructure projects for the area, for example transport improvements, that provides some detail as to what will be done, how funding will be secured, when it will be done and by whom. This is a useful, although not exclusive, list of necessary projects against which

²⁷ CDR86

the success of the planned delivery of the AAP objectives can be gauged.

105. AAP Policy 33 sets out the Council's approach to S106 Planning Obligations. This does not preclude the due consideration of development viability on individual schemes. As a separate matter, it also does not preclude the use of obligations and financial contributions for river based transport schemes if warranted.
106. The Council has suggested various changes to the AAP to reflect its intention, as indicated within its LDS, to produce a CIL/S106 DPD. This is a rational response to the emergence of The Community Infrastructure Regulations 2010 which has occurred since the preparation of the AAP began. The effective use of CIL will be dependent upon the intended DPD which will be the mechanism by which the details and viability of any proposed charging schedule will be assessed. In principle the use of CIL to provide funding in support of the AAP objectives is a sound approach and will aid effective implementation. The Council confirmed that the financial amounts referred to within AAP Appendix 7 are indicative and not fixed.
107. There is no substantive evidence to suggest that the Council's approach to flood risk, which includes reference to the CS, is not consistent with national policy and is not robust. The need for the careful management of foul and surface water drainage is identified in various submissions to the Examination; however, whilst careful attention to the design of drainage will be required, there is no persuasive evidence to suggest that satisfactory means of drainage cannot be secured for individual proposal sites or the overall level of development intended within the AAP. The Thames Tunnel project is referenced suitably.
108. The AAP includes information on contingency and risks to successful implementation; the Council informed me that it recognises the challenging economic circumstances which currently prevail. There is no reason to dispute the oral updates relating to market yields on business space which show some improvement since 2009. In essence the Council intend to operate a monitoring and management regime to assess the effective implementation of the AAP which is intended to operate over a 15 year period. There is no compelling evidence to suggest that such an approach is flawed, inappropriate against alternatives or ineffective.
109. The AAP and its evidence base support adequately the rationale for Policies 30 and 31 whilst providing some indication as to their deliverability. With due regard to the Council's intention to monitor and manage the AAP as a whole, there is no evidence to indicate the Council's approach is not sound.
110. Similarly Appendix 8 provides a list of proposals sites that include an assessment of their phased implementation. Subject to the Council's suggested changes which reflect known circumstances and an acceptance that the scale of development relating to CWAAP7 is likely to occur over the entire plan period, there is no reason to dispute the content of Appendix 8.
- 111. For reasons of effectiveness, the suggested changes of the Council as they affect the delivery and monitoring of the AAP are endorsed accordingly (PC: EIP 59, 60, 61, 62, 64, 65, 82, 92, TOC 22, 29, 32, 33, PEC 25, 27). With due regard to the provision of necessary infrastructure, the AAP is deliverable and capable of effective monitoring wherein matters of risk and contingency planning are**

evidenced in a proportionate and adequate manner.

Legal Requirements

112. My examination of the compliance of the Canada Water AAP with the legal requirements is summarised in the table below. The Canada Water AAP meets them all.

LEGAL REQUIREMENTS	
Local Development Scheme (LDS)	The AAP is identified within the revised and approved LDS June 2011 which sets out an expected adoption date of February 2012. The content and timing of the AAP are compliant with the LDS.
Statement of Community Involvement (SCI) and relevant regulations	The SCI was adopted in 2008 and consultation has been compliant with the requirements therein, including the consultation on the post-submission proposed changes (PC) and further proposed changes (FPC).
Sustainability Appraisal (SA)	SA has been carried out and is adequate.
Appropriate Assessment (AA)	The Habitats Regulations AA Screening Report (December 2009) sets out why AA is not necessary.
National Policy	The AAP complies with national policy except where indicated and changes are recommended.
London Plan (LP)	The AAP is in general conformity with the London Plan.
Sustainable Community Strategy (CCS)	Satisfactory regard has been paid to the CCS.
2004 Act and Regulations (as amended)	The AAP complies with the Act and the Regulations.

Overall Conclusion and Recommendation

113. With the changes proposed by the Council, set out in Appendix A, and the changes that I recommend, set out in Appendix C, the SOUTHWARK COUNCIL CANADA WATER AREA ACTION PLAN DPD satisfies the requirements of s20(5) of the 2004 Act and meets the criteria for soundness in PPS12. Therefore I recommend that the plan be changed accordingly. For the avoidance of doubt, the Council's proposed minor changes are endorsed, set out in Appendix B.

Andrew Seaman

Inspector

This report is accompanied by:

Appendix A (separate document) Council Changes that go to soundness

Appendix B (separate document) Council's Minor Changes

Appendix C (attached) Changes that the Inspector considers are needed to make the plan sound

