

Item No.	Classification: Open	Date: August 2020	Meeting Name: N/A
Report title:	New Southwark Plan Examination Preparation of the New Southwark Plan (Southwark Council's Proposed Changes to the submitted New Southwark Plan, August 2020)		
Ward(s) or groups affected:	All		
Cabinet Member:	Councillor Johnson Situ, Growth, Development and Planning		

RECOMMENDATIONS

That the Director of Planning:

1. Agrees the New Southwark Plan (Southwark Council's Proposed Changes to the submitted New Southwark Plan, August 2020) Version for submission to the Planning Inspectors appointed to examine the plan and to agree further consultation.
2. Notes the updated list of Examination documents provided to the Planning Inspectors.

BACKGROUND INFORMATION

Background to the New Southwark Plan

3. The New Southwark Plan will form part of Southwark's development plan along with the London Plan and area action plans. It is a regeneration strategy for Southwark and will be used to make decisions on planning applications. While the New Southwark Plan must be in general conformity with the London Plan and the National Planning Policy Framework, it can adapt some of these policies to reflect specific issues in Southwark. It will replace the Core Strategy (2011) and saved Southwark Plan (2007) policies. Where there are policies that conflict or update those in the Area Action Plans, the New Southwark Plan policies will be the most up to date policies and therefore they will be the ones that we use.
4. There have been several stages of consultation between 2013 and 2019. The first stage was the *issues* consultation from October 2013 to February 2014. This consultation was a community conversation on the 'Health of the High Streets'. The Options Version sets out a detailed strategy for regeneration in Southwark and the council's approach to planning to deliver the Fairer Future promises. Consultation took place from October 2014 to February 2015.
5. Following the Options Version consultation the document was divided into two sections for the 'Preferred Option Version' consultation. *Part One: Strategic Policies and Development Management Policies* was consulted on from November 2015 to March 2016. *Part Two: Area Visions and Site Allocations* was consulted on from February to May 2017. From June 2017 the Council reconsulted on a selection of policies also at the 'Preferred Option' stage.

6. The Proposed Submission version of the plan was prepared in light of the comments received through previous stages of consultation. It was consulted on between December 2017 and February 2018 (Regulation 19) and only related to the:
 - Legality of the Plan in regards to Section 20 (5) (a) of the Planning and Compulsory Act 2004; and
 - Soundness of the Plan as required by the National Planning Policy Framework.
7. The Proposed Submission version was the version of the Plan the Council intended to adopt. The council received 334 detailed consultation responses on the Proposed Submission version. In response to the consultation, some policies were proposed to be amended with substantial amendments prior to the plan being submitted to the Secretary of State.
8. Due to the changes proposed to these policies, a further round of consultation on the Proposed Submission version amended policies took place between March 2019 and May 2019. This consultation related to the legality and soundness of the Plan. We received 127 responses on these policies. The Consultation Report (Appendix B) includes the consultation responses to each of the Amended Policies and the responses to the Proposed Submission version policies where they were not changed through the Amended Policies.
9. The council submitted the New Southwark Plan to the Secretary of State in January 2020. This included some tracked changes which showed a number of proposed minor modifications for consideration at Examination which responded to consultation. A clean version without track changes was also prepared.
10. Two Planning Inspectors, Mr David Spencer and Mr Philip Mileham were appointed to examine the plan on 17 January 2020. The Inspectors reviewed the submission documents and wrote to the Council on 20 April 2020 outlining a number of initial matters for the Council to consider. The Council responded to this letter on 20 May 2020. The Inspectors responded by letter on 2 June 2020. All correspondence is published on the Examination website.
11. In response to some of the matters the Inspector's raised in their initial matters letter, the Council and the Inspectors have agreed to a further consultation of the New Southwark Plan while the Examination remains open, and prior to Hearing sessions starting. The Consultation Plan sets out how this consultation will take place.
12. This version of the plan is called New Southwark Plan (Southwark Council's Proposed Changes to the submitted New Southwark Plan, August 2020). This version of the plan incorporates the following changes from the New Southwark Plan Proposed Submission Version 2017:
 1. Amended policies version consulted on from January-May 2019
 2. Minor amendments in response to consultation from the 2017 and 2019 consultations (tracked changes)
 3. Further amendments in response to the Inspector's queries in their letters dated 20 April and 2 June 2020 (purple tracked changes).

13. We have prepared a fully tracked changed and clean version of this document, which will be available for public consultation, along with the latest evidence base updates, from 27 August to 26 October 2020. All representations submitted to date have been provided to the Inspectors and are published on our website and there is no need for these to be resubmitted by interested parties. The public consultation will specifically seek comments from anyone who was unable to comment on the amended policies version and anyone who now wishes to comment on the latest proposed changes and the latest evidence base. The following evidence base documents have been updated and provided to the Inspectors:
- NSP Southwark Council's Proposed Changes to the Submitted New Southwark Plan 2020 and to include a Key Diagram (update to NSP01 and NSP01A) (EIP27A–C)
 - Schedule of Changes from the PSV/APV NSP (EIP27D)
 - Consultation Plan (updated August 2020) and statement of representations procedure (EIP74)
 - NSP Consultation Report (updated 2022 with tracked changes) and appendices (EIP73)
 - Health impact assessment (updated July 2020) (EIP77)
 - Updated Equalities Analysis Impact Assessment (updated July 2020) (EIP76A–C)
 - Statement of Conformity and legal checklist (EIP75)
 - Updated Integrated Impact Assessment – IIA (EIP72)
 - Integrated Impact Assessment: Appendices 1-11 (updated July 2020) (EIP72A)
 - Habitats Regulation Assessment (updated April 2020) (EIP23)
 - NSP Director's Report (August 2020) (EIP71)
 - Inspectors' response to Southwark Law Centre (June 2020) (EIP26)
 - List of examination documents (EIP70A-B)
 - Letter from Natural England (April 2020) (EIP21)
 - Updated Statement of Common Ground with Environment Agency (July 2020) (EIP64)
 - Southwark Site Allocations Methodology Paper (updated July 2020) (EIP82)
 - Viability Appraisal Background Paper (EIP20)
 - Viability Assessments (EIP17–EIP19)
 - Housing background paper addendum – Gypsy and Traveller Update (EIP78)
 - Gypsy and Traveller Needs Assessment (EIP22)
 - Tall building background paper (July 2020) (EIP54)
 - Heritage supplementary planning document Consultation Version (July 2020) (EIP55)
 - Energy Background Paper (EIP59)
 - Strategic Flood Risk Assessment update (EIP15A–D)
 - The Local Development Scheme (EIP66)
14. Updating of the Plan will continue throughout the Examination in Public and following this until the Inspector publishes his/her report. The final version is likely to require a further consultation before consideration by Cabinet and Council Assembly prior to adoption.
15. Following adoption, the plan will be reviewed and updated on an ongoing basis to take into account any changing circumstances affecting Southwark or any changes in regional and national policy as required.

KEY ISSUES FOR CONSIDERATION

16. The New Southwark Plan contains the following sections.

Area Visions

17. Area Visions provide the strategic vision for the future of Southwark's distinct places. They set out key infrastructure enhancements, opportunities for public realm and transport improvements and growth opportunities. Area Visions also identify the character of different places to be renewed, retained or enhanced. Development proposals should be within the context of the relevant Area Vision and should demonstrate how they contribute towards the strategic vision for that area.

Strategic Policies

18. Strategic policies are borough-wide policies which set out the council's strategy to work with local people to improve neighbourhoods and create new opportunities for the future. The New Southwark Plan contains six strategic policies to deliver the Fairer Future Policies spatially ('Quality affordable homes', 'Revitalised neighbourhoods to achieve social regeneration', 'Best start in life', 'Strong local economy', 'Healthy active lives' and 'Cleaner, greener, safer').

Development Management Policies

19. Development management policies are detailed planning policies which are used to assess planning applications.

Site Allocations

20. Site Allocations are planning policies which apply to potential development sites of strategic importance. Site Allocations are needed to ensure that when strategic sites come forward for redevelopment they integrate into their surroundings and contribute towards meeting the local area's spatial needs. Site allocations are also needed to demonstrate the New Southwark Plan has been developed in conformity with the London Plan, which requires boroughs to identify strategic development sites which can meet housing targets and future infrastructure and land use needs.

21. Site Allocations set out land use requirements that must be provided as part of any redevelopment alongside other acceptable land uses. Site Allocations may specify development provides new public open space, public access routes or social infrastructure, such as health or education facilities. Site Allocations are not required for sites which are likely to be redeveloped acceptably under the development management policies of the New Southwark Plan.

Supporting documents

22. A list of the supporting documents is provided on the Examination Webpage. All documents submitted to the Inspectors throughout the Examination are labelled with the prefix EIP and we will keep an updated list of Examination documents. These can be found on our website under the New Southwark Plan Examination Webpage

Background Papers

23. To support the submission of the Plan a number of background papers have been prepared to justify our approach taken on the policies. These background papers comprise:

- Housing
- Student housing
- Affordable housing contributions on minor developments of one to nine units
- Industrial
- Office
- Retail
- Hotels
- Infrastructure
- Open space
- Tall buildings

Evidence base

24. In line with the National Planning Policy Framework (February 2019) (Paragraph 35), which sets out the soundness tests, which includes the plan must be justified: – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence, we have a number of evidence base documents which have informed our policies.

Statements of Common Ground

25. A number of Statements of Common Ground have been prepared with relevant stakeholders to agree strategic matters.

Community Impact Statement/Equalities Impact Statement

26. The Public Sector Equality Duty (PSED) contained in Section 149 (1) of the Equality Act 2010 imposes a duty on public authorities (including the Council to have, in the exercise of their functions, due regard to three “needs” which are central to the aims of the Act

- a) The need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act
- b) The need to advance equality of opportunity between persons sharing a relevant protected characteristic and persons who do not share it. This involves having due regard to the need to:
 - Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
 - Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
 - Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low

- c) The need to foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to tackle prejudice and promote understanding.
- 27. The protected characteristics are: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership.
- 28. The purpose of the New Southwark Plan is to facilitate regeneration and deliver the vision of the Fairer Future promises, ensuring that community impacts are taken into account. An Equalities Impact Assessment has been prepared and updated as part of the Examination.

Financial Implications

- 29. There are no immediate resource implications arising from this report.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

- 30. The New Southwark Plan has already been the subject of several rounds of consultation and this included a reconsultation on the “Preferred Options” version before submission to the Secretary of State in January 2020. It is not surprising that the Inspectors who have been appointed have raised some questions about how matters will progress in the coming months especially when the Submission Version is supported by such a weight of documents.
- 31. The proposal now is for a further round of consultation in order to enhance the fairness and transparency of the consultation. The previous representations that have been made are all published on the Council website and the Inspectors will have regard to these and will hear from anyone who made comments at that stage who wish to be heard at the inquiry. The latest consultation will be confined to allowing those who were unable to comment on the Amended Policies Version to now make representations on its content; and also to enable wider comment on the Council’s proposed changes (the January 2020 tracked changes and any other changes on or since submission) together with latest evidence base updates.
- 32. It should be recognised that another consultation is likely to be required once the Examination in Public has taken place and the Inspectors comments on the submitted version are available

Strategic Director of Finance and Governance (CE20/022)

- 33. This report requests Director of Planning to agree the New Southwark Plan (Southwark Council’s Proposed Changes to the submitted New Southwark Plan, August 2020)

Version for submission to the Planning Inspectors appointed to examine the plan and to agree further consultation and to notes the updated list of Examination documents provided to the Planning Inspectors.

34. The strategic director of finance and governance notes that there are no new immediate financial implications arising from this report.
35. Staffing and any other costs connected with this report are to be contained within existing departmental revenue budgets
36. The strategic director of finance and governance expects that financial appraisals will be carried out as any new plans are developed and will be subject to future reports, including identifying the revenue or capital resources for any new commitments.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
London Plan 2016	http://www.london.gov.uk/priorities/planning/londonplan	planningpolicy@southwark.gov.uk
Southwark Statement of Community Involvement 2008	http://www.southwark.gov.uk/info/856/planning_policy/1238/statement_of_community_involvement_sci	planningpolicy@southwark.gov.uk
Saved Southwark Plan 2010	http://www.southwark.gov.uk/info/856/planning_policy/1241/the_southwark_plan	planningpolicy@southwark.gov.uk
The Core Strategy 2011	http://www.southwark.gov.uk/info/200210/core_strategy	planningpolicy@southwark.gov.uk
National Planning Policy Framework	https://www.gov.uk/government/publications/national-planning-policy-framework--2	planningpolicy@southwark.gov.uk
New Southwark Plan: Examination webpage	https://www.southwark.gov.uk/planning-and-building-control/planning-policy-and-transport-policy/new-southwark-plan	planningpolicy@southwark.gov.uk

APPENDICES

No.	Title
Appendix A	New Southwark Plan (Southwark Council's Proposed Changes to the submitted New Southwark Plan, August 2020)
Appendix B	NSP Schedule of Changes

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning
Report Author	Juliet Seymour, Planning Policy Manager
Version	Final

Dated	August 2020	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
	Comments Sought	Comments included
Director of Law and Democracy	Yes	Yes
Departmental Finance Manager	Yes	Yes
Cabinet Member	Yes	No
Date final report	17 August 2020	

Signed	
	Simon Bevan, Director of Planning
Date	17 August 2020