

Item No. 14.	Classification: Open	Date: 22 January 2019	Meeting Name: Cabinet
Report title:		New Southwark Plan: Proposed Submission version: Amended policies	
Ward(s) or groups affected:		All	
Cabinet Member:		Councillor Johnson Situ, Growth, Development and Planning	

FOREWORD – COUNCILLOR JOHNSON SITU, CABINET MEMBER FOR GROWTH, DEVELOPMENT AND PLANNING

This New Southwark Plan sets out the policies and plans that will help us deliver wider improvements for our great borough in the years to come. We have welcomed development to our borough, providing much needed affordable homes for our residents, along with jobs – in construction and in the completed schemes.

At the same time as welcoming new developments we are being clear that they must integrate with existing communities and improve places for existing residents and businesses particularly in the areas around where the new development is being built. In achieving this we have a strong commitment to further improving all of Southwark whilst preserving and enhancing the historic nature and identity of our borough.

Looking to the future we must answer the pressing need for housing – of all tenure types – for our residents, we need more affordable homes and in particular new council homes. To meet this need, Southwark has an ambitious target to deliver 11,000 new council homes by 2043 with the first 2,500 to be built by 2022.

This New Southwark Plan sets out that we expect to deliver a significant proportion of these homes through new developments, as well as through estate infill and regeneration. By working with our communities and local residents we will identify opportunities to deliver an increase in social housing.

We have set out in our Council Plan a Fairer Future promise to make Southwark an age-friendly borough and this. New Southwark Plan will help to promote a wider range of different types of homes that help to meet the needs of an aging population.

This plan also details an affordable workspace policy, supporting our council plan commitment to deliver 500 affordable workspaces for businesses by 2022.

To enable further investment in new homes we have adopted the amended the adopted Aylesbury Area Action Plan, Peckham and Nunhead Area Action Plan and the Revised Canada Water Area Action Plan and we continue to consult on the Old Kent Road Area Action Plan. All of these plans will help realise the potential of these distinct areas and deliver the much needed new social homes, jobs, and social infrastructure our residents so desperately need.

This new plan also contributes to our borough's new responsibilities for public health and helping our residents lead healthy and active lives, and tackling poor air quality. This plan complements our Cycling Strategy which will unlock the cycling network and help us get many more residents of all ages cycling.

Most importantly this New Southwark Plan places delivering real benefits for our communities at the heart of our plan for the borough with the introduction of Strategic Policy that ensures 'Regeneration works for all' I look forward to continue to work with residents, businesses and community groups from across our borough to implement the policies set out in the New Southwark Plan. By working together we can continue delivering the homes, jobs and public spaces our borough needs.

RECOMMENDATIONS

That Cabinet:

1. Agree the New Southwark Plan Proposed Submission version: Amended policies January 2019 (Appendix A) for consultation.
2. Note the Consultation Plan (Appendix B), Consultation Report (Appendix C), Integrated Impact Assessment (Appendix D), Equalities Impact Assessment (Appendix E) and Habitats Regulations Assessment (Appendix F).

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. The Area Action Plans will be reviewed and updated following the Inspector's report on the New Southwark Plan.
4. There have been several stages of consultation between 2013 and 2018. 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 set 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. The Proposed Submission Version is the version of the Plan the Council intends to adopt. The council received 334 detailed consultation responses on the Proposed Submission version. In response to the consultation, some policies are proposed to be amended with substantial amendments prior to the plan being submitted to the Secretary of State. Due to the changes proposed to these policies, a further round of consultation on the Proposed Submission version amended policies will take place. Any policies which have not been amended will be staying as they are and submitted to the Secretary of State with these amended policies following consultation. The Consultation Report (Appendix C) includes the consultation responses to each of the amended policies. All other consultation responses will be published, and a full consultation report will be published at submission stage.
7. The council will then submit the Submission Version to the Secretary of State in preparation for an independent examination. The council will make any minor editorial amendments to the submission version prior to submission, along with revised policies considered as part of this consultation. The updating 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.
8. 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 national policy.

KEY ISSUES FOR CONSIDERATION

9. The New Southwark Plan contains the following sections. Where new policies are proposed to be amended, this is included in the relevant section.

Strategic Policies

10. 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').
11. **Policy SP2:** 'Revitalised neighbourhoods to achieve social regeneration' is proposed to be amended to 'Regeneration that works for all'. Further detail has been added to ensure that changes to the understanding and delivery of social regeneration are included.

Development Management Policies

12. Development management policies are detailed planning policies which are used to assess planning applications. The following policies are proposed to be amended:

<p>Policy P1: Affordable homes <u>Social rented and intermediate housing</u></p>	<p>A fast track process has been introduced for developments that provide 40% tenure compliant affordable housing and therefore will not require a viability appraisal.</p>
<p>Policy P4: Private rented homes</p>	<p>The requirement in table 3 for Affordable Rent for incomes between £60,000 and £90,000 per year has been removed. The requirement is now social rent equivalent – a minimum of 15% and London Living Rent equivalent – a minimum of 20%. This is to assist in meeting the Council Plan commitment of delivering 1,000 London Living Rent homes by 2022.</p>
<p>Policy P9: Optimising delivery of new homes</p>	<p>The density matrix has been removed in line with the draft London Plan and the density of planning applications will be assessed giving consideration to the site context, impact on neighbouring amenity and quality of accommodation. This policy replaces policy P9 and includes the requirements in Policy P13 (Residential Design). The policy requires all developments to meet the standards that were previously only required when schemes were higher density than the policy. This means that all schemes need to meet the design requirements and therefore this is a strengthening of the policy.</p>
<p>Policy P14: Tall buildings</p>	<p>The requirement to provide a new publically accessible space at the top of tall buildings which exceed 60m was removed as we do not require viewing points on all tall buildings. The London Plan policy requires free publically accessible space on top of tall buildings which can be used to require public space when needed. Usually this will be for landmark buildings. Area Action Cores were added to the list of areas where tall buildings will typically be located to ensure the New Southwark Plan, Area Action Plans and Visions are all aligned.</p>
<p>P28: Small and independent businesses <u>Affordable workspace</u></p>	<p>Policy is amended to specify 10% affordable workspace in major development schemes delivering employment space. The affordability thresholds are set out to suit the</p>

	different workspace demands in different parts of the borough.
P36: Hotels and other visitor accommodation	Policy is amended to require ancillary facilities in hotel developments that incorporate a range of daytime uses and offer employment opportunities instead of it being optional.
New policy P70: Local list	Policy is reintroduced to add strength to protection of buildings on a local list. There will be an SPD prepared as set out in the Local Development Scheme to list out the buildings. This is reintroduction of a policy and therefore adequate consultation has taken place.
New policy P71: Homes for Travellers and Gypsies	This policy is being included to ensure that we have an up to date policy in the Local Plan. This policy was consulted on in an earlier draft of the New Southwark Plan therefore it has been subject to adequate consultation and in response has been included back into the final version. The council also intends to produce a Gypsy and Travellers Development Plan Document (DPD) which is included in the Local Development Scheme.
Annex 4 - Borough views	Amendment to Annex 4. The geometry of the view from One Tree Hill and Nunhead Cemetery to St Paul's Cathedral (Views 1 and 2) will be amended to lower the target heights in line with the St Paul's height grid and safeguard the Cathedral's visibility. There is also a minor amendment to Camberwell Road view geometry.

Area Visions and Proposals Map amendments

13. 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.
14. An updated area vision is proposed for **Aylesbury**. This is to reflect the AAP taking into account the area vision and the evolving context for Aylesbury since the adoption of the Aylesbury Area Action Plan in 2010.
15. An amended town centre boundary is proposed for Camberwell to reflect the new development sites to the west and south-west. Old Jamaica Road Industrial Estate is now proposed as Strategic Protected Industrial Land (SPIL). There is a minor amendment to the SPIL boundary at the gasworks site on Old Kent Road. This land is

no longer required for the gasworks site and the Old Kent Road AAP masterplan will be updated to show the area to the north of the largest gasholder included as a park.

Site Allocations

16. 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.
17. 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.
18. The following site allocations are proposed to be amended. These will also form part of amendments to the planning proposals maps.

NSP 13: Old Jamaica Road Industrial Estate	Delete site allocation. The site will become a strategic protected industrial site (SPIL).
NSP 46: Skipton House	Delete site allocation. It is unlikely the approved scheme will be delivered and the site is in two separate land ownerships. It is anticipated development will come forward as separate parcels and will be subject to general development management policies.
NSP 57: Mandela Way	Site allocation to include reference to designation as Locally Significant Industrial Site (LSIS)
NSP 65: Land bounded by Glengall Road, Latona Road and Old Kent Road	Site allocation to include reference to designation of part of the site (west of Ossory Road) as Locally Significant Industrial Site (LSIS)
NSP 69 and 70: Hatcham and Ilderton Road	Site allocation (merged sites to reflect draft Old Kent Road AAP) to include reference to designation of part of the site as Locally Significant Industrial Site (LSIS)
NSP 80: St Olav's Business Park, Lower Road	Site allocation amended to provide further design guidance. NB. This site allocation is set out in a new template to clearly set out the constraints of tall buildings.
NSP 86: Croft Street Depot	This site was previously deleted due to it being considered undeliverable. However the landowner has confirmed this site is not used for telecommunications and can therefore be included as a site allocation and will be reintroduced to the NSP.

CONSULTATION

19. The Planning and Compulsory Purchase Act 2004 (amended 2008); the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) (“the 2012 Regulations”), and the council’s statement of community involvement (2008) set out the statutory consultation requirements for the New Southwark Plan.
20. The council will consult on this document in accordance with national legislation as shown in the consultation strategy and plan.
21. The Proposed Submission Version has been prepared for consultation from **15 January 2019 until 17 May 2019**. This includes an informal period from the 15 January 2019 to 27 March 2019. The scope of the consultation of the Proposed Submission version: Amended policies January 2019 is to ask whether the aims of the policies are achievable and whether they are based on a robust evidence base. These questions are commonly known as the ‘Tests of Soundness.’ These are the same questions the independent Planning Inspector will be asking as part of the examination.
22. We welcome comments on the New Southwark Plan: Proposed Submission Version: Amended policies. As with the previous consultation we are asking two questions:
 - Is the New Southwark Plan legal?
 - Is the New Southwark Plan ‘sound’?
23. Further details about the consultation are provided in the draft plan (Appendix A) and the consultation Plan (Appendix B)
24. Comments can be provided online through Southwark’s Consultation Hub: <https://consultations.southwark.gov.uk/>

Community Impact Statement/Equalities Impact Statement

25. 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.
26. The protected characteristics are: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership.
27. 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 Integrated Impact Assessment that includes an equalities analysis to make sure that the New Southwark Plan is having a positive impact on different groups and is delivering the most sustainable option is attached as Appendix D. A separate Equalities Impact Assessment is attached as Appendix E.

Financial Implications

28. There are no immediate resource implications arising from this report.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

29. As the New Southwark Plan has progressed through the statutory stages of preparation, it has been the subject of a number of previous reports to Cabinet. These include a report on 31 October 2017 following which the Proposed Submission Version of the New Southwark Plan was approved for consultation. Part 3A of the Council's Constitution reserves the agreement of the policy framework, including development plan documents, to Council Assembly and at their meeting on the 29 November 2017. Council Assembly approved the New Southwark Plan Proposed Submission Version for consultation.
30. Paragraph 18 of this report sets out the statutory framework which governs the preparation and submission of development plan documents such as the New Southwark Plan. The revised National Planning Policy Framework ("NPPF") was published in July 2018 and together with amendments introduced last year to the 2012 regulations, underlines the emphasis that is increasingly being placed on the existing statutory duty to keep local plans up to date and under review.
31. Paragraph 16 of the revised NPPF states that plans should

'be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees'

The amended policies which are outlined in this report have resulted from the consideration of detailed consultation responses as explained in paragraph 6 of the report. In keeping with the statutory duty imposed by regulation 18 of the 2012

regulations, the Council must take all representations into account in preparing the local plan. As substantial amendments are proposed in some cases, then a further period of consultation is required to ensure that the New Southwark Plan is shaped in the way proposed by the NPPF.

32. Equalities considerations and the statutory duty imposed the Equality Act 2010 are addressed in paragraphs 24 to 26 of the report. The Equalities Impact Assessment appears as a separate document at Appendix E.
33. The Integrated Impact Assessment at Appendix D contains a Sustainability Appraisal and Strategic Environmental Assessment pursuant to Section 39 (2) of the Planning and Compulsory Purchase Act 2004 which requires local plans to be prepared with the objective of contributing to the achievement of sustainable development. The Integrated Impact Assessment also contains Equalities Analysis and a Health Impact Assessment.
34. The decision to adopt the New Southwark Plan potentially engages certain human rights under the Human Rights Act 2008 (“the HRA”). The HRA prohibits unlawful interference by public bodies with conventions rights. The term ‘engage’ simply means that human rights may be affected or relevant. In the case of the New Southwark Plan, a number of rights may be engaged, for example: -
35. The right to a fair hearing (Article 6) – giving rise to the need to ensure proper consultation and effective engagement of the public in the process;
36. The right to respect for private and family life (Article 8) – for instance the impacts on amenities or the quality of life of individuals
37. It is therefore essential that throughout the process of preparing the New Southwark Plan there is robust public participation coupled with sustainability and equalities assessments. By undertaking the process as outlined in the report, the Council will be able to maintain the appropriate balance between making strategic policies for its communities against possible interference with individual rights.

Strategic Director of Finance and Governance (FC18/030)

38. This report requests cabinet to agree the New Southwark Plan Proposed Submission version: Amended policies Jan 2019 (Appendix A) for consultation and to note the Consultation Plan (Appendix B), Consultation Report (Appendix C), Integrated Impact Assessment (Appendix D), Equalities Impact Assessment (Appendix E) and Habitats Regulations Assessment (Appendix F).
39. The strategic director of finance and governance notes that there are no new immediate financial implications arising from this report.
40. Staffing and any other costs connected with this report are to be contained within existing departmental revenue budgets
41. 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: Proposed Submission version	http://www.southwark.gov.uk/newsouthwarkplan	planningpolicy@southwark.gov.uk

APPENDICES

No.	Title
Appendix A	New Southwark Plan Proposed Submission version: Amended Policies 2019 (circulated separately)
<p>Appendices B – F below will be available to view on the following link: http://moderngov.southwark.gov.uk/ieListDocuments.aspx?CId=302&MId=6108&Ver=4</p>	
Appendix B	Consultation Plan
Appendix C	Consultation Report
Appendix D	Integrated Impact Assessment
Appendix E	Equalities Impact Assessment
Appendix F	Habitats Regulations Assessment

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning	
Report Author	Juliet Seymour, Planning Policy Manager	
Version	Final	
Dated	11 January 2018	
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	Yes
Date final report sent to Constitutional Team	11 January 2019	