

## CABINET ITEM COVERING SHEET PROFORMA

**AGENDA ITEM**

**REPORT TO CABINET**

**7 OCTOBER 2011**

**REPORT OF CORPORATE  
MANAGEMENT TEAM**

### **CABINET DECISION/COUNCIL DECISION/KEY DECISION**

#### **Local Development Framework**

#### **Sustainable Design Guide Supplementary Planning Document Parking Provision for Developments Supplementary Planning Document**

1. Summary

This report advises members that two Supplementary Planning Documents, 'Parking Provision for Developments' and the 'Sustainable Design Guide', have fulfilled the requirements of the relevant regulations and can now progress to adoption by the Council. These documents provide additional information and guidance on the application of policies in the Core Strategy Development Plan Document adopted in March 2010. Following adoption, they will be made available to guide applicants for planning permission and their contents will become material considerations in deciding planning applications.

2. Recommendations

It is recommended that Cabinet: -

1. Note the contents of this report;
2. Approve the Sustainable Design Guide Supplementary Planning Document and the Parking Provision for Developments Supplementary Planning Document for adoption; and
3. Delegate to the Head of Planning the authority to make any necessary minor amendments to the Sustainable Design Guide Supplementary Planning Document and the Parking Provision for Developments Supplementary Planning Document prior to adoption.

3. Reasons for the Recommendations/Decision(s)

There is a statutory duty under the Planning and Compulsory Purchase Act 2004 for local authorities to adopt a development plan for their respective areas. The Sustainable Design Guide Supplementary Planning Document and the Parking Provision for Developments Supplementary Planning Document will provide additional information and guidance on the application of policies in the Core Strategy Development Plan Document adopted in March 2010.

4. Members Interests

Members (including co-opted members with voting rights) should consider whether they have a personal interest in the item as defined in the Council's code of conduct (paragraph 8) and, if so, declare the existence and nature of that interest in accordance with paragraph 9 of the code.

Where a Member regards him/herself as having a personal interest in the item, he/she must then consider whether that interest is one which a member of the public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the Member's judgment of the public interest (paragraph 10 of the code of conduct).

A Member with a prejudicial interest in any matter must withdraw from the room where the meeting is being held, whilst the matter is being considered; not exercise executive functions in relation to the matter and not seek improperly to influence the decision about the matter (paragraph 12 of the Code).

**Further to the above, it should be noted that any Member attending a meeting of Cabinet, Select Committee etc.; whether or not they are a member of the Cabinet or Select Committee concerned, must declare any personal interest which they have in the business being considered at the meeting, and if their interest is prejudicial, they must also leave the meeting room during consideration of the relevant item.**

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**Sustainable Design Guide Supplementary Planning Document  
Parking Provision for Developments Supplementary Planning Document**

**SUMMARY**

This report advises members that two Supplementary Planning Documents, 'Parking Provision for Developments' and the 'Sustainable Design Guide', have fulfilled the requirements of the relevant regulations and can now progress to adoption by the Council. These documents provide additional information and guidance on the application of policies in the Core Strategy Development Plan Document adopted in March 2010. Following adoption, they will be made available to guide applicants for planning permission and their contents will become material considerations in deciding planning applications.

**RECOMMENDATIONS**

It is recommended that Cabinet: -

1. Note the contents of this report;
2. Approve the Sustainable Design Guide Supplementary Planning Document and the Parking Provision for Developments Supplementary Planning Document for adoption; and
3. Delegate to the Head of Planning the authority to make any necessary minor amendments to the Sustainable Design Guide Supplementary Planning Document and the Parking Provision for Developments Supplementary Planning Document prior to adoption.

**DETAIL**

1. Supplementary Planning Documents (SPDs) are used to give further guidance and detail to applicants for planning permission and the wider community on policies set out in Development Plan Documents.
2. The Parking Provision for Developments SPD is a revision of an earlier SPD, Parking Provision in New Developments SPD which was first adopted in 2006. In addition to being one of the earliest documents adopted as part of the Local Development Framework, it also constitutes a chapter of the Tees Valley Design Guide and Specification for Residential and Industrial Estate Development. The SPD has been revised and updated to reflect changes in Government guidance since the original SPD was adopted, particularly Manual for Streets (published in 2007) and its companion document, Manual for Streets 2 (published in 2010). The opportunity

has also been taken to clarify and amend other minor aspects of the document and link it to the Core Strategy, particularly Policy CS2: Sustainable Transport.

3. The Sustainable Design Guide SPD is intended to reflect Government guidance on good design and sustainability and to provide greater detail on Policy CS3 of the Core Strategy, which aims to reduce the environmental impacts of new developments. The main objectives of the SPD are to encourage vibrant, sustainable and inclusive communities, to promote energy efficiency and environmental sustainability and to promote high quality design standards, which have a high regard for the surrounding character of the site and create attractive places. The SPD provides advice on site selection and development settings, design principles for built development, open space and landscaping, ecology, environmental sustainability, energy generation and renewable technologies, water efficiency and sustainable drainage, waste management, sustainable urban drainage techniques and feed in tariffs.
4. Both SPDs underwent public consultation from 31 January to 14 March 2011. Copies of the SPDs and a statement setting out how comments could be made (the 'SPD matters') were made available during normal office hours at the Council's Planning Office and at all libraries within the Borough and on the Council's website. Letters were sent to organisations and individuals included on the Council's Local Development Framework consultation database informing them of the consultation period, the locations where the documents were available to view and the procedure for making comments. A statutory notice was also placed in the Herald and Post newspaper on 27 January 2011.
5. In addition, presentations were made to the Parish Council Liaison Forum and the Stockton Renaissance Local Strategic Partnership Area Boards. A short article was included in Stockton News, a community magazine published by Stockton Council and delivered to all households within the Borough and as a result of a press release issued by the Council, a short article was published in the Middlesbrough Evening Gazette.
6. A number of comments were received regarding each of the documents and these have been incorporated into the SPDs as appropriate. Details of the consultation responses and the Council's response have been included in two Consultation Statements which accompany the SPDs.
7. During this consultation period, Natural England, a statutory consultee on all LDF documents, requested that a Habitats Regulations Assessment was undertaken on both the SPDs. This process, required by the EC Habitats Directive Articles 6.3 and 6.4, assesses the impact of all plans and projects on sites designated as of European importance for their nature conservation value. A screening exercise was undertaken and it was concluded that there was not likely to be significant effects on the relevant sites from the adoption of either SPD. The Habitats Regulations Screening Reports were consulted on from 11 July 2011 to 8 August 2011. Natural England confirmed the Council's conclusions and accordingly, a full appropriate assessment, under the Conservation of Habitats and Species Regulations 2010 was not undertaken.
8. Copies of both SPDs, their Consultation Statements and Habitats Regulations Assessment Screening Reports are available in the Members' Library and in the Electronic Members' Library (accessible through the Council Intranet)

## **THE NEXT STEPS**

9. Following adoption, the two SPDs will be made available to guide applicants for planning permission and their contents will become material considerations in deciding planning applications.

## **FINANCIAL IMPLICATIONS**

10. The adoption and publication of the adopted Sustainable Design Guide Supplementary Planning Document and Parking Provision for Developments Supplementary Planning Document can be met within existing budgetary arrangements.

## **LEGAL IMPLICATIONS**

11. The Planning and Compulsory Purchase Act 2004 requires local planning authorities to produce Local Development Frameworks, which consist of a portfolio of local development documents (LDDs) setting out spatial planning policies for a defined area. This includes Supplementary Planning Documents which are used to give further guidance and detail to applicants for planning permission and the wider community on policies set out in Development Plan Documents.

## **RISK ASSESSMENT**

12. The Sustainable Design Guide Supplementary Planning Document and Parking Provision for Developments Supplementary Planning Document are categorised as low to medium risk. Existing management systems and daily routine activities are sufficient to control and reduce risk.

## **SUSTAINABLE COMMUNITY STRATEGY IMPLICATIONS**

13. The Parking Provision for Developments SPD sets out parking standards for various types of development in order to meet the needs of the community living and working within the Borough. The Sustainable Design Guide SPD encourages vibrant, sustainable and inclusive communities, promotes energy efficiency and environmental sustainability and promotes high quality design standards, which have a high regard for the surrounding character of the site and create attractive places.

## **EQUALITIES IMPACT ASSESSMENT**

14. Both Supplementary Planning Documents have been subject to an Equality Impact Assessment and have been judged to have a positive impact. No remedial actions are required.

## **CONSULTATION INCLUDING WARD/COUNCILLORS**

15. The SPDs are equally applicable in all parts of the Borough, therefore there was no consultation with specific wards or ward councillors.

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Education related: No

Background Papers:

- Planning Policy Statement 12: Local Development Frameworks
- Draft Sustainable Design Guide Supplementary Planning Document
- Draft Parking Provision for Developments Supplementary Planning Document
- Stockton on Tees Core Strategy

Ward(s) and Ward Councillors: ALL WARDS AND WARD COUNCILLORS

Property: N/A