

AGENDA ITEM

REPORT TO CABINET

12 SEPTEMBER 2019

**REPORT OF SENIOR
MANAGEMENT TEAM**

COUNCIL/CABINET DECISION

Regeneration and Housing - Lead Cabinet Member – Councillor Nigel Cooke

SUPPLEMENTARY PLANNING DOCUMENTS – UPDATE REPORT

SUMMARY

This report updates Members of the preparation of new Supplementary Planning Documents (SPD) and associated documents now required to support the general implementation of newly adopted Stockton-on-Tees Local Plan (STLP) policies. It sets out the statutory procedures and the programme and indicative timescales.

The National Planning Policy Framework defines a Supplementary Planning Document (SPD) as:

‘Documents which add further detail to the policies in the local Plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. Supplementary planning documents are capable of being a material consideration in planning decisions but are not part of the development plan’.

The Council currently has eight SPDs and three Supplementary Planning Guidance (SPG) documents. These are now out of date and in need of streamlining to reflect the approach and objectives of the newly adopted STLP. New documents would set out clear and effective methods of implementing planning policies to aid colleagues, developers, the community and any other interested party.

REASONS FOR RECOMMENDATION(S)/DECISION(S)

To authorise the development and statutory consultation of a new suite of SPD’s to ensure they reflect the newly adopted Local Plan and that they set out clear and effective methods of implementing planning policies to aid colleagues, developers, the community and any other interested party.

RECOMMENDATIONS

1. Cabinet note the contents of the report, in particular the key milestones and indicative timescales for completion of the programme of SPDs;
2. Cabinet recommend to Council approval to delegate authority to the Cabinet Member for Regeneration and Housing and Director of Economic Growth and Development to authorise the development and statutory consultation of the draft SPDs and to make any necessary amendments as a result of consultation comments received, prior to formal adoption of the final documents by Council.

DETAIL

Background

1. In January 2019 Council adopted the Stockton-on-Tees Local Plan (STLP). The STLP sets out the policies and proposals to guide planning decisions and establishes the framework for the sustainable growth and development of the Borough up to 2032.
2. Adoption of the Local Plan has provided a timely opportunity to review, and where necessary combine and refresh the Council's existing suite of Supplementary Planning Documents (SPDs) and Supplementary Planning Guidance (SPG). It also reflects the published intention of the current Stockton-on-Tees Local Development Scheme (2016 to 2019) which indicated the Council's intention to produce a Householder Extension Design Guidance to replace SPG2 and rationalise design guidance.
3. As well as ensuring that these documents reflect the newly adopted STLP policies, there is also a need to streamline the guidance to set out clear and effective methods of implementing planning policies to aid colleagues, developers, the community and any other interested party.

Current Documents

4. The Council currently has eight SPDs and three SPGs (listed in Table 1 below) that total almost 600 pages and over 100,000 words. The existing documents have become out of date, are text heavy, not user friendly and furthermore do not relate to or assist in implementing newly adopted STLP policies.

Table 1 – Current SPD and SPG

| Supplementary Planning Document | Supplementary Planning Guidance |
|---|---|
| SPD 1 Sustainable Design Guide SPD 2 Open Space, Recreation and Landscaping SPD 3 Parking Provision in New Developments SPD 4 Conservation and Historic Environment Folder SPD 5 Boathouse Lane Planning and Design Brief SPD 6 Planning Obligations SPD 7 Shop Front and Advertisement Design Guide SPD 8 Provision of Affordable Housing and the Need for Viability Evidence | SPG2 Householder Extension Guide SPG4 High Density Flats and Apartments SPG Eastern Gateway |

5. Following a high level internal review, it is now proposed to reduce the number of SPD/SPGS to four, as set out below:
 - Housing SPD
 - Householder Extensions and Alterations SPD
 - Sustainable Design SPD
 - Planning Obligations SPD
6. **Appendix A** provides details of existing SPDs and SPGs with their replacements, the key areas covered within them and those recommended for deletion as they are no longer relevant.

7. The production of SPD's can be a resource intensive exercise. Involved in the process is detailed internal consultation with colleagues and each SPD also requires at least one round of public consultation, engagement and the production of the following documents:
 - Strategic Environmental Assessment Screening Report (subject to five week external consultation)
 - Equality Impact Assessment
 - Consultation Statement
8. As highlighted above, a period of consultation for each SPD is required. Briefing sessions will be held to ensure that all elected Members have the opportunity to see the SPDs and provide their feedback before they are presented to Council for adoption.
9. Comments received as part of the consultation will be considered and where necessary amendments will be made. Final drafts of the SPDs will then be considered by Cabinet for recommendation to Council for formal adoption.
10. The key milestones and indicative timescales for the production and adoption of SPD's is outlined in Table 2 below. The programme takes into account the requirements outlined above as well as advice from Development Management colleagues to identify which SPD's should be prioritised to ensure local residents and stakeholders have access to the most up to date guidance in accordance with the adopted Local Plan.

Table 2 Milestones and Indicative Timescales

| | Internal Officer Consultation | External Consultation | Cabinet | Council Adoption |
|---|--------------------------------------|------------------------------|----------------|-------------------------|
| Housing SPD | August 2019 | October /November 2019 | December 2019 | December 2019 |
| Householder Extensions and Alterations SPD | August 2019 | October /November 2019 | December 2019 | December 2019 |
| Sustainable Design SPD | October 2019 | December 2019 | March 2020 | March 2020 |
| Planning Obligations SPD | October 2019 | December 2019 | March 2020 | March 2020 |

COMMUNITY IMPACT IMPLICATIONS

11. The purpose of this report is to update members of the process and procedures in producing SPDs, and set out the justification for the new programme and topics currently in preparation. The report also asks Members to note the indicative timescales to adoption. It does not seek approval for a new policy, strategy or change in the delivery of a service. In this instance, Community Impact Assessment is not required.
12. However, the SPDs, in setting out the Council's approach to implementation of adopted Council policy, have the potential to impact upon all residents, those in business and visiting the Borough, each SPD is being prepared taking account of the findings of CIA.

CORPORATE PARENTING IMPLICATIONS

13. This report does not contain corporate parenting implications.

FINANCIAL IMPLICATIONS

14. The work arising from the approach recommended in this report will be undertaken within existing budgetary provisions.

LEGAL IMPLICATIONS

15. The 2004 Planning and Compulsory Purchase Act made provision for the preparation of Supplementary Planning Documents (SPDs) to provide greater detail on specific policies within individual Development Plan Documents (DPDs)/ the Local Plan.

16. In addition the Town and Country Planning (Local Planning) (England) Regulations 2012 sets out the requirements for producing Supplementary Planning Documents (SPDs). SPDs should not contain new policies and should not be contrary to the Local Development Plan or national policy.

RISK ASSESSMENT

17. This report is categorised as low to medium risk. Existing management systems and daily routine activities are sufficient to control and reduce risk.

WARDS AFFECTED AND CONSULTATION WITH WARD/COUNCILLORS

18. No specific consultation has been undertaken with ward members as its subject affects all wards of the Borough.

BACKGROUND PAPERS

Adopted Stockton on Tees Local Plan and Policies Map 2019

Report to Cabinet 24th January 2019

[Stockton on Tees Local Development Scheme \(2016-2019\)](#)

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