

**DELEGATED**

**AGENDA NO**

**PLANNING COMMITTEE**

**11<sup>th</sup> March 2020**

**REPORT OF CORPORATE DIRECTOR,  
DIRECTOR OF ECONOMIC GROWTH  
AND DEVELOPMENT**

**Supplementary Planning Document Adoption – SPD No.1 - Housing  
Supplementary Planning Document and SPD No.2 - Householder Extensions  
and Alterations Supplementary Planning Document**

**SUMMARY**

A Supplementary Planning Document (SPD) provides guidance on how Local Plan policies are applied and will be a material consideration when determining applications for planning permission within the Borough. Two SPDs, the Housing SPD and Householder Extensions and Alterations SPD have completed a period of public consultation. In order to address the representations received during the consultation period, a schedule of comments and the Council's responses has been drafted which also sets out how the documents will be amended prior to consideration by Cabinet and then to Council for approval to adopt.

The SPDs (Appendix A and B), and the Schedule of Comments and Responses (Appendix C) are available on the Council's internet e-genda system, and in the Members Library.

Following Planning Committee, the SPDs will be presented to Cabinet who are recommended to note the contents of the documents and recommend to Council to approve the adoption of these documents as Council policy, subject to minor editing and changes that are be delegated to the Cabinet Member for Regeneration and Housing and the Director of Economic Growth and Development. Any comments raised by Planning Committee will be circulated to Cabinet in advance of the meeting.

Following adoption, the guidance in the documents will be used in the determination of planning applications.

**RECOMMENDATION**

1. Planning Committee note the contents of this report and that Supplementary Planning Document No.1 Housing and Supplementary Planning Document No.2 Householder Extensions and Alterations are recommended for approval by full Council; and
2. Note that existing SPD 2 Householder Extension Guide, SPG 4 High Density Development: Flats and Apartments and SPD 8 Affordable Housing and SPD will be superseded and replaced.

## **BACKGROUND**

1. Members will recall that the Stockton on Tees Local Plan was adopted on 30th January 2019 providing a detailed planning policy framework which is the starting point for determining planning applications. Subsequently, (25th September 2019) Council resolved to grant delegated authority to the Cabinet Member for Regeneration and Housing and Director of Economic Growth and Development for the production and consultation on a series of draft SPDs. This authority also allows any necessary amendments to be made as a result of comments received during public consultation, however, formal adoption of the final documents remains with Full Council.
2. Supplementary Planning Documents (SPDs) add further detail and guidance to the implementation of policies in the Local Plan. They do not have the same legal status as the Local Plan, and do not require the same level of preparation and examination prior to adoption.
3. Two SPDs have been prepared and public consultation undertaken between 8th January and 5th February 2020, including a briefing session with Ward Councillors. Each SPD is discussed below with a brief summary of the main issues raised.

### **SPD No.1     Housing**

4. The Local Plan provides detailed policies regarding the preferred tenure, layout, type and mix of new housing. This SPD expands these policies providing guidance on, how the Council, through the planning process, will seek to deliver affordable housing; how to calculate a commuted sum or other contribution when off-site affordable housing provision is deemed more appropriate; how optional building regulations will be implemented to make homes more accessible and adaptable for those with limited mobility and advice on how the council will consider this guidance against the viability and practicalities of a development.
5. During the consultation period, 33 comments were received from 13 parties and these are summarised in the accompanying Schedule of Comments and Responses (Appendix C). Key issues raised include:
  - Questions over the scope of this SPD, for example, some respondents felt the requirement for accessible and adaptable homes; design and quality of materials and local lettings policies should not be included;
  - The Council should take a cautious approach to support development viability by ensuring that the requirement for new homes to meet optional building regulations for accessibility and adaptability is supported by an appropriate framework for decision makers;
  - That the final SPD should relax a number of requirements relating to planning applications including information to accompany applications and the triggers for delivery and land transfer;
  - Concerns regarding the revised calculation for delivery of off-site Affordable Housing through the commuted sums formula;
  - In respondents' opinions, some evidence that supports the Local Plan and the SPD is out-of-date and should not be used to inform the mix of homes in developments.

6. In response to comments or views received, to provide additional clarity or to rectify any drafting errors, a number of changes to the SPD are proposed and these are set out in Appendix C.

## **No. 2 Householder Extensions and Alterations**

7. This SPD provides guidance to inform the design of extensions and alterations to residential properties across the Borough. The principles in the document will be used when determining planning applications. Where schemes do not require planning permission residents will be encouraged to consider the guidance in the document when developing a proposal.
8. Six responses were received to the consultation, four of which raised no comments. These comments are also detailed in Appendix C along with the Council's response. The comments received raised minor issues, with only one alteration required to the document.

## **Adoption and Next Steps**

9. The SPDs have been prepared in accordance with Government legislation and guidance and have been subject to public consultation in accordance with regulations. Comments raised have been considered and, where necessary adjustments to the documents are proposed. The amended SPDs will be presented to Cabinet with a recommendation for approval for adoption.
10. Following adoption, the documents will be made available in the Council's main offices, on the Council's website and in public libraries across the Borough. The SPDs will be a material consideration in planning applications. Members should also be aware that legislation makes provision for individuals / organisations to pursue a legal challenge regarding SPDs, and this will end 3-months after adoption of the documents.

## **Financial Implications**

The work arising from the further preparation, adoption and distribution of documents recommended in this report will be undertaken within existing budgetary provisions.

## **Environmental Implications -**

The SPDs build on policies set out in the adopted Stockton on Tees Local Plan which included specific policies regarding protection, preservation and enhancement of the natural environment of the Borough. A Strategic Environmental Assessment Screening report (see Legal Implications) identified that the SPDs are unlikely to have significant environmental impacts.

## **Legal Implications -**

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 the Local Plan.

In addition the Town and Country Planning (Local Planning) England) 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.

The European Directive 2001/42/EC applied through the Environmental Assessment of Plans and Programmes Regulations (SI No.1633) requires a Screening Report for Strategic Environmental Assessment to be produced.

**Community Safety Implications -**

The provisions of Section 17 of the Crime and Disorder Act 1998 have been taken into account in the preparation of this report.

The Housing SPD seeks to deliver strong, mixed sustainable communities in accordance with policies in Stockton on Tees Local Plan. The Householder Extensions and Alterations SPD seeks to advise on appropriate extensions and alterations to new homes maintaining residential areas as attractive and safe places where people want to visit.

**Human Rights Implications**

The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report.

**Background Papers –**

Adopted Stockton on Tees Local Plan (2019)

**Ward**

The contents of these Supplementary Planning Documents affect all wards of the Borough.

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