

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

15 March 2023

**REPORT OF DIRECTOR OF FINANCE,
DEVELOPMENT AND BUSINESS SERVICES**

Local Design Guide 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.

This "Local Design Guide" SPD has been prepared as part of a suite of guidance documents that expand on policies within the adopted Local Plan (2019). The Local Design Guide SPD and accompanying technical appendices are intended as a guide for the design of development sites, with an aim to improving the quality of design within development proposals. They are as follows;

- Appendix A- Stockton-on-Tees Local Design Guide Supplementary Planning Document;
- Appendix B- Landscaping and trees- Technical Guidance and Standards;
- Appendix C- Play areas- Technical Guidance and Standards
- Appendix D- Shop fronts and advertisements- Technical Guidance and Standards
- Appendix E- Design Process Overview
- Appendix F- Consultation Statement
- Appendix G- Strategic Environmental Assessment Consultation Screening Report
- Appendix H- Community Impact Assessment

The Local Design Guide SPD and accompanying technical appendices has been published for public consultation and the documents have been amended where appropriate based on the consultation comments received.

Adoption of the Local Design Guide would also see a number of existing SPD's superseded.

RECOMMENDATION

Planning Committee are recommended to note the following recommendations:

1. **Planning Committee note the contents of this report and that the Local Design Guide Supplementary Planning Document are recommended for approval by full Council;**
2. **Planning Committee provide any comments on the SPD for consideration by Cabinet and Council; and**
3. **Note that the existing Supplementary Planning Documents (or elements of) will be replaced;**
 - **Supplementary Planning Documents 1 - Sustainable Design Guide;**
 - **Supplementary Planning Guidance - High Density Development, Flats and Apartments;**
 - **Supplementary Planning Document - Shop Front Design and Advertisements, and**

- **elements of Supplementary Planning Document: Open Space, Recreation and Landscaping (section 8; Landscaping on development sites; Appendix 2 - Planting within Stockton-on-Tees; Appendix 3 - Tree protection; Appendix 4 - Tree planting specification for softscape areas)**

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. The purpose of Supplementary Planning Documents (SPDs) is to add a further layer of detail and guidance to the application and interpretation of policies in the Local Plan. They do not have the same legal status or carry the same weight as policies within the Local Plan in the decision-making process. In addition they do not require the same level of preparation or consultation and nor are they subject to an examination prior to adoption.
3. The SPD has been prepared and public consultation undertaken between 21st November and 19th December 2022, including a briefing session with Ward Councillors.

LOCAL DESIGN GUIDE

4. The Local Design Guide SPD (Appendix A) is intended as a guide for the design of development sites, with an aim to improve the quality of design proposals and improving the process of gaining planning approval. The guide sets out the design process in step-by-step stages, intended to guide developers and designers through the master planning of a site. A key aspect of the 'Design Process' is engagement and design review which is designed to assist in ensuring applications submitted have been shaped by all relevant stakeholders including the local planning authority.
5. The main document is accompanied by a series of technical appendices that provide further technical guidance and standards on Landscaping and Trees, Play Provision and Shop Front Design and Advertisements. (Appendix B, C and D). To accompany the main design guide document, a short overview document has also been developed (Appendix E) that summarises the 'Design Process'. This is intended as a quick reference guide for designers and developers.

CONSULTATION

6. During the consultation period on the draft SPD (which took place between 21st November and 19th December 2022), a total of 13 responses were received on the contents of the draft SPD. These responses can be summarised as falling into three main categories:
 - Development Industry
 - Local Residents
 - Organisations
7. The accompanying consultation statement (Appendix F) contains a schedule of the comments received and the council's response to them. In response to comments or views received and to provide additional clarity or to rectify any drafting errors, several minor changes to the SPD have been made.
8. As the adoption of this document affects all wards within the Borough, a Council Members briefing session was held for all Ward Councillors to attend on 21st November 2022 to provide a briefing on the purpose of these documents and the public consultation.

TRANSITIONAL ARRANGEMENTS

9. In order to bring clarity and consistency in the application of supplementary planning guidance and documents it is proposed that transitional arrangements will be required.
10. Consequently, all those SPD's to be superseded (as detailed within the recommendation) will continue to be applied in the determination of any valid planning applications submitted on or before the date of adoption of the Local Design SPD.

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Ward(s) and Ward Councillors:

The adoption of this document affects all wards within the Borough.

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.

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)