

# OVERVIEW AND SCRUTINY COMMITTEE

9 June 2011

PART 1 – PUBLIC DOCUMENT

AGENDA ITEM No.

**12**

## TITLE OF REPORT: LOCAL DEVELOPMENT FRAMEWORK: DESIGN SUPPLEMENTARY PLANNING DOCUMENT (SPD)

REPORT OF THE CORPORATE STRATEGIC PLANNING AND ENTERPRISE MANAGER

PORTFOLIO HOLDER: COUNCILLOR TOM BRINDLEY

### 1. PURPOSE OF REPORT

- 1.1 To present to Members the amended Design SPD following public consultation.
- 1.2 To seek Members agreement to adopt the amended Design SPD as supporting guidance for the Council's LDF.

### 2. FORWARD PLAN

- 2.1 This report contains a recommendation on a key decision and has been referred to in the Forward Plan.

### 3. BACKGROUND

- 3.1 The District Council is currently preparing a Local Development Framework (LDF) in response to the 2004 Planning and Compulsory Purchase Act. The LDF contains a number of documents including Development Plan Documents (DPDs) and Supplementary Planning Documents (SPDs). Supplementary Planning Documents provide additional detailed guidance regarding how policies in the "parent" Development Plan Documents will be implemented. This draft Design SPD expands on the emerging policies in both the Core Strategy DPD and Development Policies DPD. In particular it will provide additional detail to Core Policy B: Design and Sustainability and Development Policy 5: Design, Safety and Sustainability.
- 3.2 The draft Design SPD was presented to members at Cabinet on 7<sup>th</sup> November 2010. At that meeting members agreed the draft document for consultation. The public consultation ran for 6 weeks from 17<sup>th</sup> January to 25<sup>th</sup> February 2011. Following the consultation the responses were analysed and amendments made to the document. The amended document is now being reported back to Cabinet for recommendation to Council for adoption as the Council's agreed Design SPD in support of policies within the LDF.
- 3.3 This report contains the outcome of the consultation.

## **4. CONSIDERATIONS**

- 4.1 This report sets out the comments that were received as part of the consultation and the officers response to the comments. Many of the comments received were supportive of the Design SPD the remaining comments were mainly points of clarification.
- 4.2 There already exists a considerable amount of guidance on design both nationally and locally. However, the purpose of this document is not to repeat existing guidance but to bring all those documents together by signposting them and setting out a checklist at the end of the document to ensure that all issues relating to the design of a development have been considered.
- 4.3 This Design SPD is not prescriptive in terms of standards or requirements. Rather it is seeking to encourage developers and designers to think about the context of the site and how their development might contribute to and enhance the local area.
- 4.4 The Design SPD has been produced to:
  - a) Provide advice for developers and applicants when submitting planning applications. When submitting planning applications applicants will be required to demonstrate how they have taken into account the guidance provided in the Design SPD.
  - b) Provide a compendium of guidance for Planning Officers and Consultants.
  - c) Provide further guidance and background evidence in respect of the Core Strategy and Development Policies. Provide links and references to guidance provided elsewhere.
  - d) Create not just high quality buildings but high quality buildings that contribute to and enhance the character of their surroundings.
  - e) Prevent standard 'anywhere' designs
- 4.5 The Design SPD covers all development throughout the district regardless of scale or location. Section 2 covers the relevant policy that is applicable, Section 3 covers generic design guidance and standards while Section 4 covers specific design guidance for each of the four towns, the villages and the rural areas. There are Appendices to cover links to other relevant guidance, a checklist to ensure that the key urban design principles have been considered and a glossary of terms.

## **5. CONSULTATION**

- 5.1 The consultation period lasted for 6 weeks from 17<sup>th</sup> January 2011 to 25<sup>th</sup> February 2011.
- 5.2 The consultation documents were available electronically on the website with hard copies available in the libraries, CSC in the council offices and the Members' room. A letter was sent to Parish Councils, there were press releases in the Comet and Crow and February's Outlook contained an article in on the consultation exercise.
- 5.3 Responses to the documents were made electronically, by post or via a form and collection box at the libraries.
- 5.4 The consultation comments were analysed by officers who made amendments, where appropriate, to the document. This amended document is now being reported back to Cabinet for recommendation to Council for adoption as the Council's agreed Design SPD in support of policies within the LDF.

5.5 96 representations were sent in by 31 respondents. The representations covered all sections of the document and plans. Many of the comments received were supportive of the Design SPD. Generally comments were on points of clarification. A couple of representations queried the need for Design SPD prior to the adoption of a Core Strategy and Development Policies. The Design SPD can be used for guidance now and will become a material consideration when the Policies it supports become adopted.

5.6 The full list of representations and officers' responses is attached at Appendix 3.

## **6. LEGAL IMPLICATIONS**

6.1 The terms of reference of Cabinet include "To exercise the Authority's functions as Local Planning Authority except to the extent that those functions are by law the responsibility of the Council or delegated to the Strategic Director of Planning Housing and Enterprise."

6.2 Following the Consultation the revised document is now placed before Cabinet for recommendation to Council. Cabinet's terms of reference include, by recommendation to Council "To advise the Council in the formulation of those policies within the Council's terms of reference." Council's terms of reference include "Approving or adopting the policy framework...Development Plan documents."

## **7. FINANCIAL AND RISK IMPLICATIONS**

7.1 The Design SPD has been prepared in house. Costs associated with the production of the final document will be drawn from the LDF reserve which this work supports.

## **8. HUMAN RESOURCE AND EQUALITIES IMPLICATIONS**

8.1 The officer time involved in the analysis of comments and amendment of the draft Design SPD is identified as part of the Corporate Business Planning Process for Strategic Planning and Enterprise.

8.2 The Council incorporates the statutory equalities duties which apply to all its activities into policies and services as appropriate, as set out in the Council's Corporate Equality Strategy. We also recognise that in our society, groups and individuals continue to be unfairly discriminated against and we acknowledge our responsibilities to actively promote good community relations, equality of opportunity and combat discrimination in all its forms.

8.3 During the development and consideration of service and budget planning options the impact of equality of access and outcomes should be considered whilst working together with and informing the local community on the draft Design SPD.

## **9. CONSULTATION WITH EXTERNAL ORGANISATIONS AND WARD MEMBERS**

9.1 A public consultation was carried out in January and February 2011.

9.2 This report seeks to recommend gain approval for a public consultation exercise early in 2011.

## **10. RECOMMENDATIONS**

- 10.1 That Cabinet agree the amended Design SPD document.
- 10.2 That Cabinet recommend the amended Design SPD to Council for adoption.

## **11. REASONS FOR RECOMMENDATIONS**

- 11.1 The guidance set out in the Design SPD will support the emerging Core Strategy and Development Policies.

## **12. ALTERNATIVE OPTIONS CONSIDERED**

- 12.1 None, as no guidance could lead to reduced standards of design and quality.

## **13. APPENDICES**

- 13.1 Appendix 1: Amended Design SPD document.
- 13.2 Appendix 2: Amended Design SPD plans.
- 13.3 Appendix 3: Representations Design SPD.

## **14. CONTACT OFFICERS**

- 14.1 Helen Leitch, Planning Policy and Projects, ext 4513  
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## **15. CONTRIBUTORS**

- 15.1 Jodie Penfold, Group Accountant, ext 4332  
John Ironside, Corporate Strategic Planning & Enterprise Manager, ext 4626  
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## **16. BACKGROUND PAPERS**

- 16.1 North Hertfordshire Local Development Framework Core Strategy DPD.
- 16.2 North Hertfordshire Local Development Framework Development Policies DPD.